UNITED NATIONS **S**

Security Council

Distr.
GENERAL

S/1998/766
18 August 1998

ORIGINAL: ENGLISH

LETTER DATED 11 AUGUST 1998 FROM THE SECRETARY-GENERAL
ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to convey the attached communication, dated 11 August 1998, which I have received from the Director General of the International Atomic Energy Agency.

I should be grateful if you would bring the text of the letter from the Director General to the attention of the members of the Security Council.

(Signed) Kofi A. ANNAN

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Annex

Letter dated 11 August 1998 from the Director General of the International Atomic Energy Agency addressed to the President of the Security Council

Further to my message to you which was delivered on Thursday, 6 August 1998, I wish to confirm that the International Atomic Energy Agency (IAEA) is carrying out a limited implementation of its ongoing monitoring and verification (OMV) plan, within the restrictions imposed by Iraq, and is awaiting instructions from the Council on how to proceed further.

In this context I would draw your attention to paragraph 21 of my July status report to the Council (document S/1998/694), which states that "the effectiveness of the implementation of the IAEA OMV plan is critically dependent upon the full exercise of the rights of access enshrined in the plan. Any diminution of, or interference with, those rights would greatly reduce the level of assurance provided through its implementation."

Iraq's refusal to cooperate in any activity involving investigation of its clandestine nuclear programme makes it impossible for IAEA to exercise a fundamental right, described in my July status report. Paragraph 43 of that report records that IAEA will continue, in the context of its OMV, to investigate, through the follow-up of any new information that comes to its knowledge, the remaining questions and concerns relevant to Iraq's clandestine nuclear programme, as well as any other aspect of that programme and to destroy, remove, or render harmless any prohibited items that may be discovered through such investigations.

Moreover, as stated in paragraph 8 of the October 1997 progress report of the IAEA Director General to the Council (S/1997/779), "the carrying out of joint IAEA/UNSCOM multi-disciplinary inspections at 'capable' sites on a regular basis continues to contribute to the effectiveness of the OMV to detect any attempt by Iraq to conduct activities proscribed by Security Council resolutions." The restrictions imposed by Iraq have resulted in the discontinuation of the "implementation of a joint programme of inspection of Iraqi sites which, in the judgement of IAEA/UNSCOM, are deemed to have capabilities suitable for conducting work on some aspect of weapons of mass destruction".

It follows from the above that the limited activities currently undertaken in Iraq by IAEA, under the restrictions imposed by Iraq, fall far short of full implementation of the OMV plan and result in a significantly reduced level of assurance than would be provided through the full implementation of that plan.

I would be grateful if you would bring the text of the present letter to the attention of the Security Council.

(Signed) Mohamed ELBARADEI

UNITED NATIONS **S**

Security Council

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GENERAL

S/1998/767
18 August 1998

ORIGINAL: ENGLISH

LETTER DATED 12 AUGUST 1998 FROM THE EXECUTIVE CHAIRMAN OF THE SPECIAL COMMISSION ESTABLISHED BY THE SECRETARY-GENERAL PURSUANT TO PARAGRAPH 9 (b) (i) OF SECURITY COUNCIL RESOLUTION 687 (1991) ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

In the period since the informal consultations of the Security Council on 6 August 1998, I have undertaken a review of the implications for the Commission's activities of the recent decisions of the Government of Iraq contained in its communication to the Council dated 5 August 1998 (see S/1998/718). The purpose of the present letter is to share with you and, through you, members of the Council the main conclusions of that review. The guidance of the Council is also sought.

In its communication to the Council of 5 August, Iraq indicated that it was suspending its cooperation with the Special Commission and the International Atomic Energy Agency (IAEA), and that in the interim, pending Council agreement to its demands, only monitoring activities would be allowed to continue.

The two distinct types of inspection activities in Iraq (disarmament and monitoring) are carried out at sites both declared by Iraq and/or designated by the Commission. The disarmament inspections are designed to deal with proscribed activities. Monitoring is designed to ensure that proscribed activities are not resumed.

Iraq's actions bring to a halt all of the disarmament activities of the Commission and place limitations on the rights of the Commission to conduct its monitoring operations, as called for by the Security Council under resolutions 687 (1991) and 715 (1991) and the Commission's monitoring plan approved by the latter.

Iraq's position that all disarmament activities must cease has forced the Commission to suspend, throughout Iraq, all such work as it requires the cooperation of Iraq. This includes discussions at the political and technical level aimed at resolving outstanding issues. A number of inspections planned in the chemical, biological and missile fields will be delayed pending resolution of the current situation. These discussions and inspections were aimed at bringing to closure outstanding disarmament issues which need to be resolved if the Commission is to be in a position to report that Iraq is in compliance with its disarmament obligations, as established by the Security Council.

The Commission's monitoring activities have been also restricted by Iraq. In the light of the restrictions imposed by Iraq's authorities, monitoring activities are limited to sites previously declared by Iraq or designated by the Commission for monitoring. This denies the rights of the Commission to inspect additional, non-declared sites, where the capabilities for conducting proscribed or monitorable activities may exist. Such conditions significantly reduce the effectiveness of monitoring.

Under these circumstances, the Commission cannot continue to provide the Security Council with the same level of assurances of Iraq's compliance with its obligations to not re-establish its proscribed weapons programmes. In this regard, the Commission fully shares the conclusions communicated to the Council by the Director General of IAEA in his letter dated 11 August 1998 addressed to you (S/1998/766, annex).

(Signed) Richard BUTLER

UNITED NATIONS **S**

Security Council

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S/1998/768
18 August 1998

ORIGINAL: ENGLISH

LETTER DATED 18 AUGUST 1998 FROM THE PRESIDENT OF THE SECURITY COUNCIL ADDRESSED TO THE DIRECTOR GENERAL OF THE INTERNATIONAL ATOMIC ENERGY AGENCY

On behalf of the members of the Security Council, I am replying to your letter of 11 August 1998 to the President of the Security Council (S/1998/766, annex).

The members of the Security Council take note with concern that Iraq's decision to suspend cooperation with the International Atomic Energy Agency (IAEA) prevents IAEA from carrying out the full range of its activities, as mandated under the relevant Security Council resolutions, in particular resolution 687 (1991), which constitute the governing standard for Iraqi compliance.

The members of the Security Council, as their initial reaction, consider that Iraq's announcement is totally unacceptable and contravenes the relevant Security Council resolutions and the Memorandum of Understanding signed by the Secretary-General and the Deputy Prime Minister of Iraq on 23 February 1998. The members of the Council note with regret that the announcement was made after a period of improved cooperation and achievement of some tangible results since the signing of the Memorandum of Understanding.

The members of the Security Council also take note with concern of your assessment that current circumstances result in a significantly reduced level of assurance than would be provided through the full implementation of the ongoing monitoring and verification (OMV) plan.

The members of the Security Council reiterate their full support for IAEA and UNSCOM in the full implementation of their mandates. Iraq is obliged under the relevant Security Council resolutions to provide IAEA and UNSCOM with the cooperation necessary for them to undertake their activities, including inspections. You should continue to report to the Council on all occasions that you deem necessary.

The members of the Security Council also express their support for the continuing efforts of the Secretary-General and his Special Envoy. The members of the Council emphasize the need for an early resumption of dialogue between IAEA and Iraq and will be ready to respond favourably to future progress made in the disarmament process.

(Signed) Danilo TÜRK
President of the Security Council

UNITED NATIONS **S**

Security Council

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GENERAL

S/1998/769
18 August 1998

ORIGINAL: ENGLISH

LETTER DATED 18 AUGUST 1998 FROM THE PRESIDENT OF THE SECURITY COUNCIL ADDRESSED TO THE EXECUTIVE CHAIRMAN OF THE SPECIAL COMMISSION ESTABLISHED BY THE SECRETARY-GENERAL PURSUANT TO PARAGRAPH 9 (b) (i) OF SECURITY COUNCIL RESOLUTION 687 (1991)

On behalf of the members of the Security Council, I am replying to your letter of 12 August 1998 to the President of the Security Council (S/1998/767).

The members of the Security Council take note with concern that Iraq's decision to suspend cooperation with the United Nations Special Commission established by the Secretary-General pursuant to paragraph 9 (b) (i) of Security Council resolution 687 (1991) (UNSCOM) prevents UNSCOM from carrying out the full range of its activities, as mandated under the relevant Security Council resolutions, in particular resolution 687 (1991), which constitute the governing standard for Iraqi compliance.

The members of the Security Council, as their initial reaction, consider that Iraq's announcement is totally unacceptable and contravenes the relevant Security Council resolutions and the Memorandum of Understanding signed by the Secretary-General and the Deputy Prime Minister of Iraq on 23 February 1998. The members of the Council note with regret that the announcement was made after a period of improved cooperation and achievement of some tangible results since the signing of the Memorandum of Understanding.

The members of the Security Council also take note with concern of your assessment that under current circumstances, UNSCOM cannot continue to provide the Council with the same level of assurances of Iraq's compliance not to re-establish its proscribed weapons programmes.

The members of the Security Council reiterate their full support for IAEA and UNSCOM in the full implementation of their mandates. Iraq is obliged under the relevant Security Council resolutions to provide IAEA and UNSCOM with the cooperation necessary for them to undertake their activities, including inspections. You should continue to report to the Council on all occasions that you deem necessary.

The members of the Security Council also express their support for the continuing efforts of the Secretary-General and his Special Envoy. The members

of the Council emphasize the need for an early resumption of dialogue between UNSCOM and Iraq and will be ready to respond favourably to future progress made in the disarmament process.

(Signed) Danilo TÜRK
President of the Security Council

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Security Council

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S/1998/770
18 August 1998
ENGLISH
ORIGINAL: FRENCH

LETTER DATED 18 AUGUST 1998 FROM THE PERMANENT REPRESENTATIVE OF THE DEMOCRATIC REPUBLIC OF THE CONGO TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

On instructions from my Government, I have the honour to repeat the information I transmitted to you by my letter of 14 August 1998 (S/1998/758) stating that the forces of the Rwandan-Ugandan coalition had cut off the supplies of water and electricity to the city of Kinshasa.

Since Monday, 17 August, the Inga hydroelectric power station has been in the hands of the aggressors, who have again cut off the water and electricity supply to Kinshasa, the capital of the Democratic Republic of the Congo, and to part of Bandundu province.

The social consequences for the population of Kinshasa are very serious. In the hospitals, the incubators in the maternity units have ceased to work and the medical equipment in the emergency and resuscitation wards has been shut down, to mention only two instances among many others.

The Security Council is called upon to note the fact that, by virtue of these inhuman acts perpetrated by the aggressors against the Congolese population, the city of Kinshasa, with its six million inhabitants, is condemned to inevitable genocide sponsored by the Rwandan-Ugandan coalition.

Consequently, my Government invites the Security Council to endorse the concerns of the Organization of African Unity (OAU) and requests it:

1. To strongly condemn the invasion of Congolese territory by Rwandan and Ugandan troops;

2. To demand that Rwanda and Uganda withdraw their troops immediately from Congolese territory;

3. To demand that the Rwandan-Ugandan coalition restore the water and electricity supply to Kinshasa and its surroundings;

4. To demand that Rwanda and Uganda put an immediate stop to all acts of extortion against the Congolese population.

I should be grateful if you would have this letter circulated as a document of the Security Council.

(Signed) André MWAMBA KAPANGA
Ambassador
Permanent Representative

UNITED NATIONS **S**

Security Council

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GENERAL

S/1998/771
18 August 1998
ENGLISH
ORIGINAL: ARABIC

LETTER DATED 18 AUGUST 1998 FROM THE PERMANENT REPRESENTATIVE OF IRAQ TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

On instructions from my Government, I have the honour to transmit to you herewith a letter dated 17 August 1998 from Mr. Mohammed Said Al-Sahaf, Minister for Foreign Affairs of the Republic of Iraq. It concerns the irresponsible practices of the representatives of the United States of America and the United Kingdom in the Security Council Committee established by resolution 661 (1990), which have had the effect of impeding the processing and approval of contracts for the purchase of spare parts and supplies for the oil sector and consequently of reducing Iraq's anticipated revenues for phase IV of the oil-for-food programme.

I should be grateful if you would have the present letter and its annex circulated as a document of the Security Council.

(Signed) Nizar HAMDOON
Ambassador
Permanent Representative

Annex

Letter dated 17 August 1998 from the Minister for Foreign Affairs of Iraq addressed to the Secretary-General

Following your visit to Baghdad and your meeting with Mr. Taha Yasin Ramadan, Vice-President of the Republic of Iraq, on the morning of Monday, 23 February 1998, we addressed to you a letter dated 25 February 1998 in which we set forth the most important of the substantive points that had been made by the Vice-President. One major point was the critical condition of infrastructure for the production, processing and transportation of Iraqi oil, which was such that it was not possible under any circumstances, given the sharp drop in the price of oil, to guarantee its ability to increase production sufficiently to realize the increased sum of 5.2 billion dollars stipulated in resolution 1153 (1998) without the rapid allocation of funds for the repair of such infrastructure. We also stated in that letter that, even in the event that spare parts and supplies for the repair of production, processing and exportation infrastructure became available quickly, we would not be able to realize the total mentioned and the value of exports would perhaps be between 3 and 3.5 billion dollars. In addition to the allocation of sufficient sums to cover the cost of spare parts, we also asked that the 661 Committee should give sufficient attention to facilitating the approval of contracts relating to the requirements of the oil-related infrastructure.

Since that time, a technical team came to Iraq from the Saybolt company, and it submitted a report to you in early April 1998 which you transmitted to the Security Council with your report dated 15 April 1998 (S/1998/330, annex). In both reports, the Security Council was assured that the quantities of spare parts and supplies being sought in order to maintain and increase production represented the reasonable minimum, and it was noted that the production levels determined by Iraq were optimistic even if supplies were made available on schedule.

Nearly three months have passed since the fourth (enhanced) procurement and distribution plan took effect, and nearly two months since the adoption of Security Council resolution 1175 (1998). However, no decision has yet been reached in the 661 Committee on a procedure for the rapid approval of contracts for the purchase of spare parts and supplies for the oil sector and no method has been adopted for financing these contracts against assured future revenues, despite the fact that specific provision is made for these two measures in paragraphs 2 and 4 of resolution 1175 (1998). In the meantime, even before the adoption of that resolution, the relevant agencies of the Iraqi Ministry of Oil had concluded more than 50 contracts, valued at some 30 million dollars, with suppliers. Immediately the resolution was adopted, the companies concerned registered the contracts with the secretariat of the 661 Committee. At the moment, more than 37 contracts have thus accumulated with the Committee secretariat, and it subjects them to the same old regular, routine and plodding mechanism for registration, circulation and approval. No special, rapid mechanism has been developed to process these contracts, as requested by the Council in its resolution 1175 (1998). This is because of the intransigent position taken by the representatives of the United States and the United

Kingdom in the 661 Committee, who do everything in their power to obstruct agreement on the use of a mechanism that accords with the provisions of the resolution. The following list shows the status of the contracts in question as of 14 August 1998:

Registered with the Committee secretariat:	37
Circulated to Committee members:	14
Approved by the Committee:	7
Placed on hold by the representative of the United States:	5

The irresponsible practices in which these two representatives engage not only obstruct the work of the 661 Committee but also cause great delay in the provision of the spare parts and supplies required for the repair and maintenance of production, processing and transportation infrastructure. When these tendentious practices and the delayed performance of contracts coincide with a continuing collapse in crude-oil prices on the world market, the inevitable result is to reduce Iraq's anticipated revenues for phase IV to around 3 billion dollars at best. This will force the relevant agencies of the Iraqi Ministry of Oil to reduce the quantities stipulated in oil contracts already concluded, because those quantities were determined in the expectation that the spare parts and supplies required would be delivered on schedule. It will also have an adverse impact on the quantities of humanitarian goods and supplies for which contracts have already been concluded, thus making it uncertain whether the enhanced procurement and distribution plan can be implemented. Failure to implement the plan would be incompatible with the purposes of resolution 1153 (1998), in which the Council endorses your recommendations for the mitigation of the grievous humanitarian situation in which our people finds itself.

Responsibility for this reduction in revenues falls on the Governments of the United States and the United Kingdom, because they are violating the letter and spirit of resolutions 1153 (1998) and 1175 (1998). Since efforts to address this question first began in February 1998, these two Governments have constantly striven to oppose the endeavours of the other members of the 661 Committee to elaborate a formula or procedure that would help to expedite the processing of contracts and the provision of spare parts and supplies to the oil sector.

The Government of the Republic of Iraq, in bringing these facts to your attention, urges you to intervene directly with the representatives of the United States and the United Kingdom with a view to inducing them to desist from obstructing the processing of contracts for the purchase of spare parts and supplies for the oil sector and opposing the introduction of the necessary

mechanism for the immediate financing of these contracts against assured future revenues in accordance with the provisions of resolution 1175 (1998).

(Signed) Mohammed Said AL-SAHHAF
Minister for Foreign Affairs
of the Republic of Iraq

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S/1998/772
18 August 1998

ORIGINAL: ENGLISH

LETTER DATED 17 AUGUST 1998 FROM THE SECRETARY-GENERAL ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

In view of the key role that the United Nations continues to play in providing support to the Government of Sierra Leone in its efforts to restore peace and stability throughout the country, I am writing to inform you of the Special Conference on Sierra Leone that I convened in New York on 30 July 1998.

The meeting was organized in close consultation with the Government of Sierra Leone, whose delegation was led by President Ahmad Tejan Kabbah, and also the Economic Community of West African States (ECOWAS). It was attended by representatives of 55 countries, including those of ECOWAS, the European Union and the Security Council, the Secretaries-General of the Organization of African Unity (OAU) and the Commonwealth and the Executive Secretary of ECOWAS, as well as representatives of the European Commission, the Bretton Woods institutions and relevant United Nations departments, programmes and agencies. Representatives of several non-governmental organizations operating assistance programmes in Sierra Leone participated as observers.

The purpose of the meeting was to focus international attention on the situation in Sierra Leone and the Government's initiatives aimed at resolving the conflict, restoring secure conditions and effective administration country-wide and implementing a rehabilitation and recovery programme. Priority was given to consideration of the following issues: the Government's programme for the disarmament, demobilization and reintegration of former combatants and its peace-building initiatives; the role of the Monitoring Group of the Economic Community of West African States (ECOMOG) in re-establishing basic security; the actions necessary to help ECOMOG meet its manpower and logistical needs; the humanitarian situation and refugees; and further steps to be taken by the international community in mobilizing and coordinating support for Sierra Leone.

In my opening statement, I noted that President Kabbah's Government had taken a number of steps to combat the effects of nine months of junta misrule and sought to lay a lasting foundation for national reconciliation, reconstruction and rehabilitation. Many obstacles needed to be overcome, and the Special Conference would ensure that the problems would be attacked by the Government and international community with a collective unity of purpose. President Kabbah said that the Conference was an act of solidarity with the people of Sierra Leone, where remnants of the Armed Forces Revolutionary Council

(AFRC) junta and the Revolutionary United Front (RUF) were continuing to perpetrate atrocities against civilians. Despite those gruesome actions, the rebel forces had recently been granted a two-week amnesty by the Government. He outlined the emergency needs of the country, including funding for the Government's disarmament and demobilization programme, logistical support for ECOMOG, repatriation of refugees, emergency humanitarian aid and resources for the rehabilitation of physical infrastructure. The Permanent Representative of Nigeria to the United Nations, on behalf of the Chairman of ECOWAS, and the Secretaries-General of OAU and the Commonwealth also addressed the opening session.

Peace and security

The Foreign Minister of Sierra Leone, Mr. Sama Banya, provided an update of political and security developments. Normal conditions had returned to Freetown and the provincial and district headquarters towns except Kailahun, Kono and Kabala. Parliament was functioning and a multi-party Cabinet had been appointed. Trials for members of the illegal junta and their collaborators were being carried out with due process in the presence of international monitors. My Special Representative briefed the meeting on the role of the United Nations Observer Mission in Sierra Leone (UNOMSIL) and the status of its deployment. Following those presentations, general statements were made by representatives of 16 Member States, as well as the European Union and the European Commission.

Major-General Timothy Shelpidi, ECOMOG Force Commander, outlined the role of ECOMOG in reinstating the legitimate Government and restoring basic security in Sierra Leone, indicating that 80 per cent of the country was now free from rebel activity. He noted with appreciation contributions for the provision of logistical assistance to ECOMOG made by the United States of America and pledged by the United Kingdom of Great Britain and Northern Ireland at the Conference and appealed for further aid to meet the force's needs, as listed in a document that he made available to interested donors. He noted that there were currently about 10,000 ECOMOG troops in Sierra Leone, mainly from Nigeria and Guinea, and that an additional 5,000 were needed to enable the force to carry out its mandate effectively. Several ECOWAS countries were prepared to contribute additional troops but were unable to deploy or sustain them owing to financial constraints, and Major-General Shelpidi appealed for donor assistance to overcome those problems.

Mr. James Jonah, Minister of Finance and Economic Development of Sierra Leone, gave an overview of the Government's disarmament, demobilization and reintegration plan for an estimated 33,000 former combatants, which was developed in close consultation with major donors. He appealed for funding for the programme, which will run for three years and cost approximately $33.6 million. The initial phase, under which 5,000 members of the former army and RUF who have already surrendered to ECOMOG will be demobilized, was already under way. My Special Representative for Children and Armed Conflict noted that one of the most pressing challenges facing the Government of Sierra Leone was the "crisis of the young", including child soldiers. He recommended that Sierra Leone be adopted as a pilot case to which the international community would give concerted political attention and resources to meet the needs of children and women affected by armed conflict. The Executive Director of the United Nations

Children's Fund also noted that the important task of reintegrating the estimated 4,000 child soldiers into society would require an intensive and long-term commitment of resources.

Promoting recovery

The Under-Secretary-General for Humanitarian Affairs briefed the meeting on the enormous humanitarian needs that the country continues to face, as access by humanitarian organizations to some areas of the country remained restricted as a result of continuing rebel activities. Displacement and security problems have also limited the access of farmers to their fields, and a serious food shortage is expected. He urged donors to fund the 1998 consolidated inter-agency appeal for humanitarian assistance, which calls for $20.2 million in donations but has received only $1 million. The United Nations High Commissioner for Refugees indicated that the Sierra Leone refugee crisis had been the largest in Africa in 1998. Since the beginning of the year there had been an outflow of 209,000 Sierra Leonean refugees to Guinea, bringing the total to 401,000, and an outflow of 57,000 to Liberia, bringing the number to 184,000. The total number of Sierra Leonean refugees was now 595,000. She called upon donors to contribute to the appeal launched by the Office of the United Nations High Commissioner for Refugees for $7.2 million for Sierra Leonean refugees, in which $3 million had so far been received.

Mr. Jonah also briefed the meeting on the Government's peace-building efforts and stressed the need for a revitalization of the economy, job creation schemes, particularly for youth, and strengthening of the judiciary. The Under-Secretary-General for Political Affairs noted that the Government's programme for rehabilitation and recovery was aimed at addressing the underlying causes of the conflict and consolidating peace and should not be allowed to falter because of a lack of resources.

Conclusions and follow-up action

The Under-Secretary-General for Political Affairs, in his capacity as Chairman of the meeting, summarized the main points made by participants during the proceedings. He noted that the Conference had been welcomed as a timely initiative and that the degree of interest shown was reflected in the high level of attendance and the participation of ministers and delegations sent from the home Governments of various countries. The restoration of President Kabbah and his Government on 10 March 1998 was warmly welcomed, and the steps taken since then to restore security, re-establish constitutional order and begin the process of reconciliation, reconstruction and rehabilitation were commended.

The continued resistance of remnants of AFRC and RUF, and especially their perpetration of appalling atrocities, was strongly condemned, and they were called upon to lay down their arms and surrender to the Government. The meetings between President Kabbah and President Taylor of Liberia, held in Abuja on 1 July and in Monrovia on 20 July, were welcomed, and the two leaders were urged to continue to work towards improving relations between their two countries and improving regional security. The importance of stopping the entry of illegal supplies of weapons into Sierra Leone and ending direct or indirect support of neighbouring countries to the rebels was stressed.

The need for the Government to pursue policies directed at promoting national reconciliation while at the same time ensuring that those responsible for crimes and atrocities against the civilian population are brought to justice was acknowledged. All those accused had to be given fair trials with full respect for due process. In this regard, the Government's invitation to the United Nations and human rights groups to monitor the trials was welcomed.

The achievements of ECOWAS and the efforts of ECOMOG in the restoration of the legitimate Government and basic security in many areas of the country were commended. Re-establishing secure conditions was a top priority, and the provision of technical assistance to ECOMOG to enable the force to meet its manpower and logistical requirements was urgently needed. ECOWAS countries that had yet to contribute troops to ECOMOG in Sierra Leone were urged to do so. The deployment of UNOMSIL was strongly supported, and the need for good coordination and cooperation between ECOMOG and UNOMSIL was stressed. Several countries indicated their willingness to provide military observers and police advisers for UNOMSIL.

The Government's disarmament, demobilization and reintegration plan was welcomed as a critical element in ensuring durable peace, and the importance of providing adequate resources for it was stressed. Programmes aimed at meeting the needs of youth and women affected by the conflict were of particular importance. The humanitarian situation and the plight of the large number of refugees remained a serious cause for concern for which donor assistance was urgently needed. Appreciation was expressed to those countries providing sanctuary for the refugees, particularly Guinea and Liberia. Finally, the general view was that, while the political, military, humanitarian and social challenges faced in Sierra Leone were daunting, they were not insurmountable. A well-coordinated international response involving the United Nations and other international organizations, non-governmental organizations and the private sector was urgently needed.

It was encouraging that several countries and organizations expressed their readiness to support the rehabilitation and reconstruction of the country, in some cases by restarting their bilateral assistance programmes that had been suspended following the military coup in May 1997.

At the end of the meeting, participants expressed their support for the establishment of an international contact group to mobilize and coordinate further support for Sierra Leone and noted that discussions should be held by interested Member States in the near future to consider its composition and modus operandi.

(Signed) Kofi A. ANNAN

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18 August 1998
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LETTER DATED 18 AUGUST 1998 FROM THE PERMANENT REPRESENTATIVE OF THE LIBYAN ARAB JAMAHIRIYA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

We refer to the disclosures in The New York Times of 5 August 1998, in The Guardian in its issues since 6 August 1998, and in The Mail on Sunday and other Arab and foreign newspapers since the beginning of this month, concerning statements made by David Shayler, a former officer of the United Kingdom intelligence service MI5, to the effect that MI6, the United Kingdom foreign intelligence service, hatched an unsuccessful plot in 1996 to have the Leader of the Revolution, Colonel Muammar Qaddafi, assassinated by a Libyan terrorist organization, the members of which are based in London.

We wish to inform you, the members of the Security Council and the international community as a whole of the following facts:

The General People's Committee for Foreign Liaison and International Cooperation had drawn the attention of the United Kingdom Government, as early as the beginning of 1997, to the danger of supporting and harbouring terrorist elements and enabling them openly to announce their seditious intentions and to issue communiqués concerning their subversive plans and activities against the Libyan Arab Jamahiriya.

1. On 9 January 1997, the General People's Committee for Foreign Liaison and International Cooperation sent a note verbale to the Italian embassy, which was in charge of United Kingdom interests in the Libyan Arab Jamahiriya, in which reference was made to the communiqué issued in the capital of the United Kingdom on 2 December 1996 by a terrorist group calling itself the Islamic Combat Group, which appeared on 2 January 1997 in the newspaper Al-Sharq al-Awsat, published in London. The communiqué gave details of the planned assassination of the Leader of the Revolution, specifying the place and the date of the attempt and the name of one of those who were to take part in it. The General People's Committee for Foreign Liaison and International Cooperation requested the United Kingdom authorities to take steps as a matter of urgency to hand over the individuals concerned and to put an end to such conduct in the future.

2. The General People's Committee for Foreign Liaison and International Cooperation sent a letter dated 23 January 1997 to the members of Parliament belonging to the Labour and Conservative Parties denouncing the harbouring by

the United Kingdom of such terrorist elements, and stating that the policy of the United Kingdom Government, which violated the principles of international law, was a departure from international practices and treaties, undermined stability and jeopardized security in the territory of another State. The letter requested that measures be taken to ensure that the activities of such elements were stopped, and that the perpetrators were prosecuted and punished.

3. On the basis of that letter, some members of the United Kingdom Parliament sent letters to members of their Government, including the Foreign Secretary, Malcolm Rifkind, and the Minister of State at the Foreign Office, Jeremy Hanley; they confirmed that they had received the two notes verbales referred to above and promised to take appropriate measures.

4. In view of the fact that the authorities had taken no steps to stop such subversive activities, the General People's Committee for Foreign Liaison and International Cooperation sent a third note verbale dated 3 December 1997 to the Office for United Kingdom Interests explaining that the United Kingdom was still harbouring terrorist elements, allowing them freedom of movement and freedom openly to declare their seditious schemes and to issue communiqués concerning their subversive plans and activities, and affording them sponsorship and protection. The Committee requested the United Kingdom authorities to take steps to hand over four terrorists on suspicion of having committed acts of terrorism in the Libyan Arab Jamahiriya and outside it, and it provided the British authorities with abundant information supported by individual photographs of the persons concerned.

5. Almost a whole year later, the United Kingdom authorities asked for additional information concerning the people involved in the subversive activities referred to. The United Kingdom authorities were provided with the information requested in a reply contained in a note verbale sent to the British Interests Office in the Libyan Arab Jamahiriya dated 6 May 1997 concerning the terrorist elements and the activities against the Libyan Arab Jamahiriya that they were planning to carry out from the United Kingdom.

6. On 12 January 1998, in view of the fact that the Embassy of Italy was looking after British interests, the Italian Ambassador to the Libyan Arab Jamahiriya was reminded of the subject matter of the earlier note verbale and was notified that the Libyan authorities were still awaiting a reply; he was also invited to warn the Government of the United Kingdom not to give shelter to such terrorist elements and to respond to the request of the Libyan Arab Jamahiriya to hand them over. However, the United Kingdom authorities, in their reply contained in a note verbale dated 5 April 1998, resorted, as usual, to equivocations and omissions in order to avoid responding to the content of our note verbale, which was supported by clear facts and information.

Since the beginning of this month, the information media have been proclaiming the truth of the content of our note verbale, with the disclosure by The New York Times, dated 5 August 1998, and of The Guardian and other British and Arab newspapers concerning the statements of David Shayler, the former agent of the United Kingdom domestic security agency MI5, to the effect that MI6, the United Kingdom foreign intelligence service, had been involved in an attempt to assassinate the Leader of the Revolution and that a Libyan belonging to the so-

called Islamic Combat Group had carried out an assassination attempt in exchange for 100,000 pounds sterling.

David Shayler was arrested in Paris, at the request of the United Kingdom authorities, after he had announced his intention to publish information from France on the Internet revealing that the United Kingdom foreign intelligence service had been involved in the assassination attempt and that the United Kingdom authorities had intervened to prevent the British Broadcasting Corporation (BBC) from transmitting an edition of its programme "Panorama" on 5 August 1998 which would have revealed further details about the conspiracy. The fact that the programme was broadcast the next evening, on 6 August 1998, after a quarter of its content had been cut, indicates that the material omitted contained compelling evidence substantiating the story of the United Kingdom intelligence agent David Shayler and the official involvement of the United Kingdom Government in this act of terrorism.

The facts set out above and the approach which the United Kingdom authorities have adopted and continue to adopt in dealing with terrorists and terrorist organizations by giving them shelter, funding them, protecting them and sponsoring them, and enabling them openly to declare their seditious intentions, and the encouragement given to their subversive activities against the Libyan Arab Jamahiriya and its leadership, and the attempt by the United Kingdom authorities to silence anyone who speaks up about the involvement of the official services in these activities and conspiracies, are clearly demonstrated by the following:

1. The confirmation of the acts of State terrorism constantly being practised by the Government of the United Kingdom against the Libyan Arab Jamahiriya;

2. The support of the United Kingdom for terrorist organizations, and the fact that it grants their members the right to reside in its territory, provides them with financial assistance and security, and supports them politically;

3. The confirmation that all the terrorist organizations operating under cover of the religion of Islam are creations of the United Kingdom and are at the service of its twofold objective of destabilizing the Islamic world, especially the Arab world, and simultaneously denigrating the religion of Islam;

4. The charge of terrorism against the Libyan Arab Jamahiriya is a cover for the State terrorism practised by the United Kingdom and similar States against the Libyan Arab Jamahiriya and other Arab and Islamic States; the truth is that the Libyan Arab Jamahiriya is a victim of such terrorism.

On the basis of the foregoing, the Libyan Arab Jamahiriya requests the United Kingdom Government as follows:

1. To hand over all those involved in these matters to the competent Libyan legal authorities for investigation;

2. To provide the Libyan Arab Jamahiriya with complete facts and information on all Libyans residing in the United Kingdom and carrying out acts against the security of the Libyan Arab Jamahiriya;

3. To provide the Libyan Arab Jamahiriya with complete facts and information on all terrorist organizations, irrespective of the name under which they are operating, which are established in the United Kingdom and are using it as the base for their activities;

4. To give an undertaking that the United Kingdom will take practical and tangible measures to refrain from supporting, assisting, protecting, financing or sponsoring organizations or elements involved in terrorist activities;

5. To agree to compensate the Libyan Arab Jamahiriya for the losses and damage, whether material or moral, that have arisen, or may arise, from the subversive activities of such elements or groups;

6. The Libyan Arab Jamahiriya also requests the Security Council to study this matter and to take whatever steps are necessary in that connection.

I should be very grateful if you would have this letter circulated as a document of the Security Council.

(Signed) Abuzed Omar DORDA
Ambassador
Permanent Representative

UNITED NATIONS **S**

Security Council

Distr.
GENERAL

S/1998/774
18 August 1998

ORIGINAL: ENGLISH

LETTER DATED 17 AUGUST 1998 FROM THE PERMANENT REPRESENTATIVE OF NAMIBIA TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

I have the honour to forward to you, on behalf of the Secretary-General of the Organization of African Unity, the communiqué on the situation in the Democratic Republic of the Congo issued by the Central Organ of the Organization of African Unity Mechanism for Conflict Prevention, Management and Resolution, at its fiftieth ordinary session, at the ambassadorial level, held at Addis Ababa on 17 August 1998.

I would be grateful if the text of the present letter and its annex could be circulated as a document of the Security Council.

(Signed) Martin ANDJABA
Ambassador and Permanent Representative
Chairman of the African Group for the
month of August

98-24233 (E) 180898

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Annex

Communiqué issued at Addis Ababa on 17 August 1998 by the Central Organ of the Organization of African Unity Mechanism for Conflict Prevention, Management and Resolution, at the ambassadorial level

The Central Organ of the Organization of African Unity (OAU) Mechanism for Conflict Prevention, Management and Resolution met at its fiftieth ordinary session today, 17 August 1998, at the level of ambassadors. Mr. T. A. G. Makombe, Ambassador of Zimbabwe to Ethiopia and Permanent Representative to OAU, chaired the session.

The session discussed the current crisis in the Democratic Republic of the Congo. At the end of its session, which considered the report from the OAU delegation currently visiting the region, the Central Organ:

1. Expressed its grave concern at the unfolding crisis in the Democratic Republic of the Congo and its possible implications for peace, security and stability in the region;

2. Reiterated its support for the Government of the Democratic Republic of the Congo and OAU's commitment to the unity, cohesion and respect of the sovereignty and territorial integrity of the Democratic Republic of the Congo in accordance with the provisions of the OAU Charter and, in particular, with the provisions of resolution AHG/16/1 adopted in Cairo in 1964 on territorial integrity and the inviolability of national boundaries as inherited at independence;

3. Condemned the recourse to armed rebellion in the settlement of grievances and called upon the rebels in the Democratic Republic of the Congo to immediately lay down their arms and seek constructive dialogue with the Government of the Democratic Republic of the Congo in order to seek redress of their grievances;

4. Called for an immediate cessation of hostilities in the territory of the Democratic Republic of the Congo and condemned all external interventions in the internal affairs of that country under any pretext whatsoever. It called for an immediate end to all such external interventions;

5. Expressed its concern over the possible humanitarian consequences of the conflict in the Democratic Republic of the Congo, if the situation is allowed to deteriorate further;

6. Fully supported and endorsed the initiatives and approaches launched by the Regional Summit held at Victoria Falls, Zimbabwe, aimed at establishing a framework for defusing the crisis, as well as the follow-up initiatives undertaken by the Ministers for Foreign Affairs and Defence of Zimbabwe, Angola, Namibia, the United Republic of Tanzania and Zambia;

7. Requested the Secretary-General of the Organization of African Unity to enter into urgent consultations with all concerned and closely coordinate

OAU's efforts with those of the countries of the region and the Secretary-General of the United Nations, with a view to seeking a speedy and peaceful end to the conflict in the Democratic Republic of the Congo.

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Security Council

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GENERAL

S/1998/775
18 August 1998

ORIGINAL: ENGLISH

PROGRESS REPORT OF THE SECRETARY-GENERAL ON THE SITUATION CONCERNING WESTERN SAHARA

I. INTRODUCTION

1. The present report is submitted pursuant to Security Council resolution 1185 (1998) of 20 July 1998, by which the Council requested me to report to it every 30 days on the progress of the implementation of the Settlement Plan for Western Sahara (S/21360 and S/22464 and Corr.1) and the agreements reached between the parties, the Kingdom of Morocco and the Frente Popular para la Liberación de Saguía el-Hamra y del Río de Oro (Frente POLISARIO), under the auspices of my Personal Envoy, Mr. James A. Baker III (S/1997/742, annexes I-III). By that resolution, the Security Council also extended the mandate of the United Nations Mission for the Referendum in Western Sahara (MINURSO) until 21 September 1998. The present report covers developments since my previous report to the Council dated 10 July (S/1998/634).

II. DEVELOPMENTS DURING THE REPORTING PERIOD

2. During the reporting period, my Special Representative, Mr. Charles F. Dunbar, continued his consultations on various issues related to the implementation of the Settlement Plan. He met with His Majesty King Hassan II of Morocco at Rabat on 10 July, with the President of Mauritania, His Excellency Mr. Maaouya Ould Sid'Ahmed Taya, and the Minister of the Interior, Post and Telecommunications at Nouakchott on 28 July, and with the Secretary-General of the Frente POLISARIO, Mr. Mohamed Abdelaziz, at Tindouf on 7 August.

A. Identification process

3. During July 1998, MINURSO identified a total of 9,054 applicants to the referendum. As at 16 August 1998, 115,402 applicants had been convoked for identification since the resumption of the process in December 1997. Of those, 85,816 came before the Identification Commission to be interviewed. With the 60,112 applicants who had been identified during the initial phase of the process (August 1994-December 1995), this brings to 145,928 the total number of

persons identified thus far. Identification operations were completed in July at Sidi Kacem and El Kelaa des Sraghna, and began at Meknes and Rabat.

4. The Chairman of the Identification Commission, Mr. Robin Kinloch, continued to meet regularly with the Moroccan and Frente POLISARIO Coordinators with MINURSO. The identification programme for August was agreed to by both parties. Arrangements for the convocation of several hundred applicants resident abroad are being discussed with the Moroccan Coordinator. With this exception and that of the H41, H61 and J51/52 tribal groupings, all applicants will have been convoked for identification by the end of August 1998.

5. The Government of Morocco continued to refuse the identification of applicants who were originally registered in the refugee camps in the Tindouf area but reported to the two identification centres in Mauritania. To date, this has affected over 70 applicants, who appeared at those centres for identification.

6. Both parties maintained their positions with regard to the outstanding issue of the identification of the H41, H61 and J51/52 tribal groupings, including the proposal in my report of 15 January 1998 (S/1998/35) that MINURSO complete, as a first step, the identification of the 4,000 individuals who had presented themselves on the days of convocation of members of those three groupings who are listed in the 1974 Spanish census, and of their immediate families. Morocco also maintained that, until the overall issue of the identification of all applicants from groupings H41, H61 and J51/52 is resolved, it would not participate in the identification of members of those three groupings who are listed in the 1974 Spanish census, and of their immediate families.

B. Military aspects

7. As at 16 August 1998, the military component of MINURSO stood at 461 observers and other military personnel (see annex). These include the engineering support and demining units from Pakistan and Sweden, deployed in accordance with Security Council resolution 1148 (1998) of 26 January 1998. Under the command of Major-General Bernd S. Lubenik (Austria), the military component of the Mission continues to monitor the ceasefire between the Royal Moroccan Army and the Frente POLISARIO forces, which came into effect on 6 September 1991. The MINURSO area of responsibility remains calm, and there have been no indications that either side intends to resume hostilities.

8. During the reporting period, the problem of control and handling of the weapons, ammunition, and explosives of the MINURSO engineering support and demining units was resolved by the Force Commander, following intensive consultations with the Moroccan military authorities. Accordingly, a military agreement between MINURSO and Morocco was signed on 23 July, which provides guidelines for the handling of weapons, ammunition and explosives of those MINURSO units deployed west of the defensive sand-wall ("berm").

9. The above-mentioned agreement made it possible for the weapons, ammunition and explosives of the Swedish demining unit to be dispatched to Laayoune on

29 July, followed on 1 August by the main elements of the Pakistani contingent, along with the balance of its weapons, ammunition and equipment. On both occasions, with the cooperation of the Moroccan authorities, the personnel, weapons and ordnance were processed smoothly at the airport. At a coordination meeting held at Agadir on 7 August to facilitate the Mission's operational activities, the Moroccan military authorities also assured MINURSO of their full cooperation and support.

10. Notwithstanding the above, MINURSO's communications equipment has been held up for the past two months at Laayoune airport, in contradiction of the privileges and immunities traditionally granted by host countries to all United Nations peacekeeping operations. Consultations between MINURSO and the Moroccan authorities to resolve this issue are continuing.

11. In the meantime, the MINURSO engineering support and demining units have been conducting reconnaissance and survey missions, in preparation for their construction and demining activities at specific sites. However, owing to the late resolution of the issue of carriage of weapons and custody of ammunition and equipment, as well as the pending clearance of the necessary communications equipment, the Swedish contingent will be unable to start its actual demining activities on time, and is therefore unlikely to complete its tasks by early October 1998, as initially planned. Subject to the decision of the Government of Sweden and the approval of the Security Council, it may be necessary to extend the stay of that unit or to make alternative arrangements in due course.

12. During the reporting period, the Secretariat forwarded its comments to the Algerian and Mauritanian authorities on their respective responses to the draft status-of-forces agreement on MINURSO. It is hoped that the agreements with these two Governments will be concluded soon. However, Morocco's response to the draft agreement is still awaited, despite repeated assurances that it would be promptly provided. The signature of these agreements would greatly facilitate the conduct of MINURSO's mandated operational activities.

C. Civilian police aspects

13. The civilian police component of MINURSO has an authorized strength of 81 police officers. With the arrival of an officer from Pakistan, this component is now complete.

14. The MINURSO civilian police component continues to assist the Identification Commission at all active identification centres. The Civilian Police Commissioner, Chief Superintendent Peter Miller (Canada), has been visiting all civilian police posts regularly. The component is collaborating with the Office of the United Nations High Commissioner for Refugees (UNHCR) in the planning process for the repatriation of refugees. It is also participating in an internal MINURSO working group on legal and administrative issues relating to the transitional period.

D. Preparatory work for the repatriation of Saharan refugees

15. During the reporting period, UNHCR continued with its preparatory work for the repatriation of Saharan refugees, as provided for under the Settlement Plan. Pre-registration of refugees and their immediate family members continued in northern Mauritania and in the Tindouf area of Algeria. In the towns of Zouerate and Nouadhibou in Mauritania, 22,000 individuals have been registered. It is expected that the exercise will be completed in Mauritania by the end of August 1998. In the Tindouf area, 31,000 refugees have been registered to date, and work has been completed in the Dakhla and Awsard refugee camps. Pre-registration in the Smara and El Aiun camps is expected to be completed by the end of October 1998. UNHCR continued with other preparatory activities, including water and infrastructure development, logistics planning, information-sharing, assessment of refugee needs, and mine awareness.

16. Discussion continued with the Government of Morocco on the formalization of the presence of UNHCR and its preparatory work in the Territory. Following a meeting held at Geneva in late July between UNHCR and a Moroccan delegation, the High Commissioner wrote to the Minister for Foreign Affairs of Morocco expressing her appreciation for his Government's decision to formalize the presence of UNHCR and to allow it free access in the Territory. UNHCR is awaiting confirmation from the Moroccan Government to undertake a joint mission to the Territory which would give effect to the above-mentioned decision. UNHCR hopes to be able to undertake its activities relating to confidence-building and infrastructure development soon. A meeting was held with Frente POLISARIO officials, at which the objectives and strategy of UNHCR were again discussed, including its mandate responsibilities for the refugees in the Tindouf camps.

E. Other aspects

17. The Independent Jurist for Western Sahara, Mr. Emmanuel Roucounas, is scheduled to visit the mission area in late August, in order to follow up with the Moroccan authorities and the Frente POLISARIO matters concerning presumed political prisoners and detainees previously raised with the two parties. The Independent Jurist will also consult with my Special Representative and other MINURSO staff on issues pertaining to his mandate.

18. Further to concerns raised in my last report (S/1998/634) regarding the use of MINURSO aircraft by visiting diplomats and journalists, the Permanent Mission of Morocco to the United Nations issued a press statement indicating that Morocco was examining practical arrangements which could address its own concerns and, at the same time, take into account the requirements of MINURSO.

III. OBSERVATIONS

19. There are excellent prospects for completing, in August 1998, the identification of applicants from all tribal groups and sub-factions, with the exception of groupings H41, H61 and J51/52. As regards the latter issue, my Special Representative has not received from Morocco and the Frente POLISARIO

any practical suggestions which would allow for a reconciliation of their points of view.

20. In my previous report, I indicated that I had asked my Personal Envoy to consider engaging the parties in seeking a solution to the problem of the three tribal groupings and to other issues bearing upon the implementation of the Settlement Plan. Mr. Baker is considering contacts with the parties in early September 1998, following which he will assess the implementability of the Plan in its present form and examine whether there are any adjustments to the Plan, acceptable to the Parties, which would significantly improve the chances of implementing it. If there are not, he will advise me on possible avenues to be pursued. Such an assessment will influence my conclusions as to the continued viability of the mandate of MINURSO and the related recommendations which I expect to be in a position to make to the Security Council in mid-September 1998, before the expiration of the mandate of MINURSO on 21 September.

21. Meanwhile, I welcome the agreement of the Moroccan authorities to formalize the presence of UNHCR. I urge them to take concrete action to enable UNHCR to have free access to and movement in the Territory and to engage fully in its preparatory work for the repatriation of Saharan refugees eligible to vote, and their immediate families.

22. I also look forward to receiving the response from the Moroccan authorities to the proposed status-of-forces agreement, and to the early signature of all three agreements with Algeria, Mauritania and Morocco.

Annex

United Nations Mission for the Referendum in Western Sahara: contributions as at 16 August 1998

	Military observers	Staff officers	Troops	Civilian police observers	Total
Argentina	1	-	-	-	1
Austria	5	-	-	-	5*
Bangladesh	6	-	-	-	6
Canada	-	-	-	8	8
China	16	-	-	-	16
Egypt	19	-	-	2	21
El Salvador	2	-	-	-	2
France	25	-	-	-	25
Ghana	6	-	7	10	23
Greece	1	-	-	-	1
Guinea	3	-	-	-	3
Honduras	12	-	-	-	12
Ireland	8	-	-	-	8
India	-	-	-	10	10
Italy	5	-	-	-	5
Kenya	8	-	-	-	8
Malaysia	13	-	-	10	23
Nigeria	5	-	-	10	15
Norway	-	-	-	2	2
Pakistan	5	6	150	8	169
Poland	3	-	-	-	3
Portugal	4	-	-	10	14
Republic of Korea	-	-	20	-	20
Russian Federation	25	-	-	-	25
Sweden	-	4	71	10	85**
Uruguay	13	-	-	-	13
United States of America	15	-	-	-	15
Venezuela	3	-	-	-	3
Total	203	10	248	80	541

* In addition to the Force Commander.

** Including two national support elements.

UNITED NATIONS **S**

Security Council

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S/1998/776
19 August 1998

ORIGINAL: ENGLISH

IDENTICAL LETTERS DATED 18 AUGUST 1998 FROM THE PERMANENT REPRESENTATIVE OF THE ISLAMIC REPUBLIC OF IRAN TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL AND TO THE PRESIDENT OF THE SECURITY COUNCIL

Upon instructions from my Government, I have the honour to welcome the timely statement by the President of the Security Council to the press on 13 August 1998 on the "continuing escalation of the armed conflict in Afghanistan caused by the Taliban forces' offensive in northern Afghanistan", in which the President said in part:

> "The Security Council is deeply concerned at the reports of the capture by the Taliban of the Consulate General of the Islamic Republic of Iran in Mazar-e-Sharif and the rough treatment of its personnel. It strongly warns the perpetrators of this flagrant violation of the recognized norms and principles of international law against causing any further harm to their captives and demands the immediate release of the personnel of the Consulate General of the Islamic Republic of Iran in Mazar-e-Sharif, as well as of the Islamic Republic News Agency (IRNA) correspondent in that city."

In addition to the 11 personnel of the Consulate General of the Islamic Republic of Iran in Mazar-e-Sharif and the IRNA correspondent, 36 Iranian relief workers carrying foodstuffs in trucks have also been detained by the Taliban forces on the day of the offensive campaign against that city on 8 August 1998. They have all been reportedly transferred to Kandahar. The names of all detainees are herewith attached as an annex to the present letter.

It may be pointed out that at the outset of the Taliban offensive campaign to the north of Afghanistan, the Islamic Republic of Iran had sought assurances from the Government of Pakistan that the security of the Consulate-General of the Islamic Republic of Iran in Mazar-e-Sharif and the integrity and safety of its personnel would not be violated.

I wish to report, with extreme concern, that as of this morning the Taliban leaders have not been forthcoming and there has been no progress towards the resolution of this highly serious problem.

The Government of the Islamic Republic of Iran regards further delay in the release of its nationals totally unacceptable. It is ultimately responsible for the safety and security of its nationals and is fully prepared to live up to its responsibility. The Government of the Islamic Republic of Iran nevertheless wishes to see its nationals released unharmed and expeditiously without any further delay through negotiation and in an amicable fashion.

Hence, the Government of the Islamic Republic of Iran calls upon the Secretary-General and the Security Council to continue to regard this issue as vitally important and to use the good offices of the United Nations to impress upon the Taliban, and the Governments in a position to assist, in ensuring the safety and immediate release of the Iranian captives.

It would be highly appreciated if the text of the present letter and its annex were circulated as a document of the Security Council.

(Signed) Hadi NEJAD-HOSSEINIAN
Ambassador
Permanent Representative

Annex

Personnel of the Consulate-General of the Islamic Republic of Iran in Mazar-e-Sharif

1. Mr. Nasser Rigi
2. Mr. Majid Noori
3. Mr. Noorullah Norouzi
4. Mr. Heydar Ali Bagheri
5. Mr. Mohammad Nasser Nasser Jazdar
6. Mr. Hossein Akbari
7. Mr. Rashid Pariav Fallalh
8. Mr. Mohmmad Ali Ghiasi
9. Mr. Karim Heydarian
10. Mr. Allahdad Shahsavan Ghareh Hosseini
11. Mr. Mohmmad Hossein Jafarian

Correspondent of the Islamic Republic News Agency

Mr. Mahmoud Saremi

Iranian relief workers

1. Mr. Gholamhossein Hosseini
2. Mr. Gholamreza Anbarestani
3. Mr. Hossein Ekrami
4. Mr. Mohammad Dehnavi
5. Mr. Gholamreza Pursaadat
6. Mr. Mohammadhossein Fakumoghaddam
7. Mr. Mansour Sangaki
8. Mr. Gholamreza Barati
9. Mr. Hassan Rezai
10. Mr. Mohammad Mamish Ghalenour
11. Mr. Alireza Asadollahi
12. Mr. Abolghasem Yazdani Tavallai
13. Mr. Aliakbar Shahsavari Kheirabadi
14. Mr. Alireza Saedi
15. Mr. Esmail Afagha
16. Mr. Abolghasem Mazinani
17. Mr. Mehdi Hafaee
18. Mr. Ali Afshari Tabrizi
19. Mr. Majafali Molla Salehi
20. Mr. Ghadir Nezamivand Chegini
21. Mr. Kasra Tavakoli Kesheh
22. Mr. Abolfazl Abasali
23. Mr. Gholamhossein Yousofi Moghaddam
24. Mr. Reza Yousofi Moghaddam
25. Mr. Abas Zarea Fakhrabadi
26. Mr. Mohammadjavad Salari
27. Mr. Hadj Aliakbar Jahanbakhsh
28. Mr. Hamid (Son of Hossein)

29. Mr. Golamreza Armin
30. Mr. Jahangir Askari
31. Mr. Hassan Tarragh
32. Mr. Hamid Tahmasebi Lotfabadi
33. Mr. Saed Reza Mousavi Aghdas
34. Mr. Jahangir Alasavandi
35. Mr. Hossein Rezapour
36. Mr. Asadollah Meamar

UNITED NATIONS **S**

Security Council

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S/1998/777
19 August 1998

ORIGINAL: ENGLISH

LETTER DATED 18 AUGUST 1998 FROM THE SECRETARY-GENERAL ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to transmit to you herewith the interim report of the International Commission of Inquiry (Rwanda) submitted to me by the Chairman of the Commission in pursuance of Security Council resolution 1161 (1998) of 9 April 1998.

You will note from section V, Administrative and budgetary aspects, the difficulties that the Commission has experienced and that have hampered it in its work. The Commission is financed entirely from the United Nations Trust Fund for Rwanda established for that purpose, to which a number of Member States have offered to contribute. Of the approximately $710,000 pledged by Member States, some $425,000 has been received. I would therefore urge those Governments that have pledged but not yet disbursed contributions to the Trust Fund to do so as soon as possible, in order to enable the International Commission to pursue its inquiries and complete its work in a timely manner.

In accordance with resolution 1161 (1998), it would be my intention to request the Commission to submit to the Security Council a final report before the end of November 1998.

I should be grateful if you would bring the present letter and its annex to the attention of the members of the Security Council.

(Signed) Kofi A. ANNAN

98-24303 (E) 200898 200898

Annex

[Original: English/French]

Interim report of the International Commission of Inquiry (Rwanda)

I. INTRODUCTION

1. By paragraph 1 of its resolution 1161 (1998) of 9 April 1998, the Security Council requested the Secretary-General to reactivate the International Commission of Inquiry, with the following mandate:

> "(a) To collect information and investigate reports relating to the sale, supply and shipment of arms and related matériel to former Rwandan government forces and militias in the Great Lakes region of central Africa, in violation of Security Council resolutions 918 (1994), 997 (1995) and 1011 (1995);
>
> "(b) To identify parties aiding and abetting the illegal sale to or acquisition of arms by former Rwandan government forces and militias, contrary to the resolutions referred to above; and
>
> "(c) To make recommendations relating to the illegal flow of arms in the Great Lakes region".

2. The International Commission of Inquiry was established pursuant to Security Council resolution 1013 (1995) of 7 September 1995, and it conducted investigations in the Great Lakes region and elsewhere between October 1995 and October 1996. The Commission's reports can be found in documents S/1996/67, S/1996/195, S/1997/1010 and S/1998/63.

3. In a letter addressed to the President of the Security Council dated 27 May 1998 (S/1998/438), the Secretary-General notified the President of the Security Council that the membership of the Commission was as follows:

Mr. Mahmoud Kassem (Egypt) (Chairman);
Brigadier-General Mujahid Alam (Pakistan);
Mr. Gilbert Barthe (Switzerland);
Mr. Mel Holt (United States of America).

The Commission is assisted in the field by a political officer and a secretary.

II. DEVELOPMENTS IN THE SITUATION SINCE 1995-1996

4. Following a series of briefings and consultations with members of the Security Council, representatives of other interested Member States and Secretariat officials from 4 to 8 May 1998 at United Nations Headquarters, the Commission re-established itself at its headquarters in Nairobi on 13 May. Some

members of the Commission visited London en route for consultations, as described below.

5. Upon its return to Nairobi, it quickly became clear to the Commission that the circumstances in which it was pursuing its investigations had been transformed since the period 1995-1996. At that time, the former Rwandan government forces were overwhelmingly concentrated in north Kivu province of what was then eastern Zaire, with smaller numbers in south Kivu and in the north-western part of the United Republic of Tanzania. There was then, and apparently still is, significant organized support for the former Forces armées rwandaises (FAR) in Kenya, where members of the Rwandan Hutu community have been engaged in raising money to buy arms.

6. Just as the Commission was completing its third report (S/1997/1010) in late October 1996, the Banyamulenge and their allies launched an uprising in Kivu that began with attacks on the refugee camps and ex-FAR concentrations there and culminated in the overthrow of the Mobutu regime and the founding of the Democratic Republic of the Congo. It was those tumultuous events that radically transformed the situation being investigated by the Commission and, incidentally, led to a delay of more than one year in the publication of the Commission's third report.

7. Thus, although the mandate adopted by the Security Council in reactivating the International Commission of Inquiry on 9 April 1998 (resolution 1161 (1998)) was essentially the same as that originally contained in resolution 1013 (1995) of 7 September 1995, the Commission has been obliged to adopt a different approach to its investigations necessitated by its absence from the region for 19 months. Nearly two years of violent upheavals have left remnants of the ex-FAR scattered across the African continent, to the point where the first task facing the Commission was to establish their whereabouts and current activities and, to the extent possible, their military capacities and intentions. In order to mount a systematic investigation into the sale or supply of arms to the former Rwandan government forces and to identify parties aiding and abetting them, the Commission has travelled widely throughout Africa. A list of the countries visited and representatives of Governments and organizations interviewed is contained in appendix I.

III. ACTIVITIES OF THE INTERNATIONAL COMMISSION OF INQUIRY

A. Activities in Kenya

8. In Nairobi, the Commission resumed the contacts it had established during the period 1995-1996 and initiated additional contacts among Kenyan government officials, the diplomatic community, United Nations agencies, non-governmental organizations, members of civil society and private individuals.

9. On 18 May 1998, the Chairman of the Commission wrote to the Minister for Foreign Affairs, Mr. Bonaya Godana, requesting a meeting to acquaint his Government with the nature and purpose of the Commission and to request his assistance and cooperation. The Chairman also wrote on the same day to the Attorney General of Kenya, Mr. Amos Wako.

10. At his meeting with the Foreign Minister on 22 May, the Chairman requested his assistance in placing the Commission in contact with senior officials from the Ministry of the Interior, the armed forces and customs, police, civil aviation and intelligence officers who might be in a position to assist the Commission in its inquiries. Minister Godana pledged his Government's cooperation and agreed to designate a liaison officer to work with the Commission in its dealings with other government officials.

11. Despite repeated attempts on the part of the Commission to follow up on the Minister's offer of assistance, including a second letter from the Chairman to the Minister dated 15 July 1998, no liaison officer has yet been appointed. No reply has been received to the 15 July letter.

12. The Commission has also attempted, without success, to meet with the Attorney General, who has been travelling outside the country, or with a representative of his office. The office of the Attorney General has confirmed receipt of a second letter to him from the Chairman dated 10 June 1998 requesting an appointment, but has not yet replied, nor has it responded to subsequent telephone calls.

13. From 9 to 11 July, two commissioners visited the Kakuma refugee camp and Lokichokio in northern Kenya, in connection with reports of the trans-shipment of weapons from the Horn of Africa to the Great Lakes region. They met with United Nations officials and aid workers, as well as with refugees.

14. Numerous sources in Kenya impressed upon the Commission that Rwandan Hutus continued to be very active in the country in raising funds, maintaining political organizations, seeking external support, recruiting soldiers and procuring false passports.

15. While in Nairobi during the period 1995-1996, the Commission had met with Mr. Seth Sendashonga, a former Minister of the Interior (1994-1995) in the Government of Rwanda, who was a member of and retained close links with the Rwandan Hutu community. Mr. Sendashonga had at that time broken with the Government and resumed his links with the Hutu community. Shortly after meeting with the Commission in February 1996, Mr. Sendashonga was wounded by gunfire in Nairobi in an assassination attempt, from which he subsequently recovered. The Commission attempted to meet with him again on its return to Nairobi in May 1998, but Mr. Sendashonga was shot dead two days before the appointment could take place.

16. The Commission has discovered that in Nairobi and in the Kakuma refugee camp, personalities close to the late Mr. Sendashonga are still actively recruiting young men for their military training camps in Lukole and Karagwe, United Republic of Tanzania. Various sources report that the purpose of Mr. Sendashonga's involvement in creating a militia was "to open a new front" in eastern Rwanda. It is understood that recruitment and training have continued since his death.

17. These sources further indicate that in Nairobi, a group of Hutu extremists under the leadership of Major André Bizimana is exerting pressure on refugees and running counter-intelligence operations. There is a common understanding

among various sources that some of the proceeds of the many appeals for funds by church groups and women's organizations are used to finance military activities.

18. The political organization Peuple en armes pour la libération du Rwanda, which issues pamphlets distributed in Rwanda and elsewhere, is represented in Nairobi by two individuals who inform the press agencies about the military successes of the insurgents in Rwanda.

19. On 2 August, the Commission met with a delegation from the Human Rights Watch Arms Project, including its Executive Director, Mr. Joost Hiltermann, as part of its long-standing dialogue on issues of mutual concern. Mr. Hiltermann discussed with the Commission a forthcoming meeting of non-governmental organizations in Canada on the issue of small arms and a joint governmental and non-governmental organization meeting in October in Belgium on the gravity of the problem of small-arms flows in Africa and the great interest in the Commission's work among civil society institutions.

B. Activities in Rwanda

20. Members of the Commission visited Rwanda three times, from 3 to 6 June, from 1 to 4 July and from 13 to 17 July. They met several times in Kigali with government officials, members of the diplomatic community, United Nations officials and officials of the International Criminal Tribunal for Rwanda, as well as members of non-governmental organizations.

21. On 4 June 1998, the full Commission met with the Minister of State for Defence, Lt.-Col. Emmanuel Habyarimana, accompanied by other senior Rwandan government officials. The Minister welcomed the Commission and pledged his Government's cooperation.

22. The Chairman of the Commission recalled that in November 1996, the Banyamulenge and its allies had attacked the Mugunga refugee camp in what was then eastern Zaire. Besides Rwandan civilian refugees, a concentration of former Rwandan government forces and militia also inhabited the camp. Journalists entering Mugunga shortly after the attack reported finding documents bearing the names of companies that had apparently sold weapons to the former Rwandan government forces. Upon learning of those accounts, the Chairman had written to the Government of Rwanda, on 21 November 1996, requesting the Commission's access to the documents reportedly found at the camp. At his meeting with Minister Habyarimana, the Chairman requested to be allowed to examine the documents, to inspect weapons seized in recent engagements between the Rwandan Patriotic Army (RPA) and insurgents, and to interview some of the captured insurgents. The Chairman also requested that a liaison officer be designated to assist the Commission. At the invitation of the Government, the Chairman subsequently put his requests in writing.

23. The liaison officer appointed by the Government, Lt.-Col. Patrick Karegeya, the Chief of External Intelligence of RPA, promised the cooperation of his Government to the extent possible without compromising sensitive intelligence sources and operations. At his invitation, the Commission has begun to study some of the documents seized at Mugunga camp in November 1996. However,

according to Lt.-Col. Karegeya, many documents were removed by journalists at the time and are not in the possession of the Rwandan Government.

24. Following an agreement reached with the Deputy Prosecutor of the International Criminal Tribunal for Rwanda, Mr. Bernard Muna, Commission members met with him and his staff during June and July.

25. The Commission understands that the ex-FAR, or at least the part operating inside Rwanda, refers to itself as the Armée pour la libération du Rwanda (ALIR) and were under the operational command of Lt.-Col. Leonard Nkundiye until his death on 24 July 1998 in a fight with RPA inside Rwanda.

26. From the Commission's numerous discussions and meetings in Kigali, a broad range of opinions emerged that the insurgency in Rwanda, particularly in the north-west, represented a significant security threat to the Government and that the former Rwandan government forces and militia were responsible. There was a unanimous belief that in many recent attacks on civilians and in ambushes of RPA patrols, the insurgents tended to use only small arms or machetes. Nevertheless, it was widely believed that they were in possession of larger stocks of more sophisticated armaments and might be using machetes rather than firearms for psychological effect. Many believed that they were biding their time in preparation for more destructive attacks, the objective of which was eventually to regain power.

27. Some indication of the intentions and possible strength of the insurgents was gained from an underground newspaper published at Gisenyi and distributed secretly as far as Kigali. This propaganda paper, called Umucunquzi, or "Saviour", purports to describe the activities of ALIR. The paper accuses the Rwandan Patriotic Army of a campaign of massacre against the people of Rwanda and threatens to extend the struggle against the Government to all parts of the country. In order to demonstrate their freedom of movement within Rwanda, their discipline and their efficiency, the insurgents have also kidnapped missionaries and nuns they believe to be sympathetic to their cause. They are then released unharmed to make public statements about how well they have been treated while in captivity.

C. Activities in South Africa

28. During the period 1995-1996, the Commission visited South Africa and established numerous official and private contacts with those who were knowledgeable about arms flows throughout Africa generally and about the situation in the Great Lakes region in particular. Among the Commission's interlocutors was Mr. Willem Ehlers, who had brokered the weapons sale described in some detail in the Commission's first substantive report (S/1996/195), which the Commission had concluded was a highly probable violation of the Security Council embargo. In order to re-establish those contacts and to learn the latest developments, the Commission visited South Africa from 22 to 29 July 1998.

29. The Commission met with a number of senior government officials, including the Minister of Justice, Mr. Abdulah H. Omar; the Director-General of the

Department of Foreign Affairs, Mr. Jakkie Selebe; the Deputy Director-General of the Department's Multi-Affairs Branch, Mr. Abdul S. Minty; the Chairman of the National Conventional Arms Control Committee, Professor Kader Asmal; the Deputy Director-General of the Secret Service, Mr. Barry Gilder; representatives of the National Intelligence Coordinating Committee and the National Interdepartmental Structure for Border Control; and others in a wide range of academic and non-governmental circles.

30. The Commission's interlocutors in the South African Government made clear the Government's determination to curtail the illegal shipment of arms from and through its territory. To that end, the Government was reducing to 10 the number of airports permitted to handle international flights in order to promote better compliance with laws governing illegal arms trafficking. The Government was also aware of the difficulty of controlling illegal arms transfers by road across its extensive borders and through the some 3,000 airfields located throughout the country. The Government had also adopted legislation to curtail the activities of South African companies and individuals seeking to profit by the sale and supply of weapons and the provision of military training abroad. Government approval of such activities was now granted only if strict guidelines, including adherence to United Nations embargoes and compliance with end-user certificates, were met. The National Conventional Arms Control Committee reviewed requests for the sale of arms and non-lethal military equipment and denied those it considered unwarranted. Where the Committee became aware of apparent violations, it sought to have them investigated. The Government of South Africa had placed the issue of illegal arms transfers on the agenda of the Organization of African Unity, resulting in the adoption of a resolution requesting Governments to provide information on its transfers and receipts of weapons.

31. Nevertheless, information made available to the Commission by knowledgeable and reliable sources concerning, inter alia, the alleged transport of arms from South African territory to the Great Lakes region by road via Zimbabwe and Zambia suggests that the scale of illegal trafficking appears to exceed the present capacity of the Governments concerned to control it in full accordance with their laws.

D. Activities in Uganda

32. The Commission visited Kampala from 5 to 10 July 1998 and held a total of 19 meetings with government officials, members of the diplomatic community, officials of United Nations agencies, representatives of non-governmental organizations and others. The government officials included Mr. Muluri Mukasa, the Minister of State for Security; Mr. Tom Butime, the Minister for Internal Affairs; Mr. Amama Mbabazi, the Minister of State for Political Affairs; and Mr. Rukahana Rugunda, Minister of State for Foreign Affairs.

33. In their meetings with the Commission on 7 and 10 July 1998, Minister Mukasa and Minister Rugunda informed the Commission that small groups of the ex-FAR and Interahamwe militia were operating in western Uganda. The Government of Uganda understood that elements of the former Forces armées zaïroises (ex-FAZ) were collaborating with ex-FAR elements in the eastern part of the

Democratic Republic of the Congo, taking advantage of a degree of support among the local population and the tenuous control exercised over the province from Kinshasa. Those armed groups financed themselves partly through gem mining and support from some local traders said to be opposed to the Kabila Government.

34. The Commission's other interlocutors provided it with a greatly improved understanding of the complex and volatile situation along Uganda's border with the Democratic Republic of the Congo as well as the continuing activity of the former Rwandan government forces in the area and their links with other armed groups.

35. The Ugandan People's Defence Force has reportedly engaged the ex-FAR inside Uganda. Ex-FAR elements had also reportedly established armed camps in the vicinity of Kisoro, north of Goma. The ex-FAR were said to be the best organized of the many armed groups operating in North Kivu province of the Democratic Republic of the Congo, having forged close links with remnants of FAZ. The province is generally considered highly insecure and replete with small arms in numerous depots and caches; the local price of an automatic weapon was said to be approximately $12. The former Rwandan government forces were believed to oppose President Museveni's Government because of its perceived role in support of the successful campaigns of the Rwandan Patriotic Front and the Congolese Alliance of Democratic Forces in 1994 and 1996 respectively. As a result, the ex-FAR have allied themselves with at least one armed anti-Government group in Uganda, the Allied Democratic Front (ADF). The ex-FAR and ex-FAZ are thought by some observers to be supplying weapons to ADF.

36. In his meeting with the Commission, also on 7 July 1998, Mr. Butime, the Minister for Internal Affairs, estimated that the ex-FAR and ex-FAZ comprised 40 per cent of the 500 ADF fighters. The Minister subsequently wrote to the Chairman mentioning companies from three countries, two in Europe and one in Africa, as having supplied weapons to the former Rwandan government forces and militia in 1994 and 1996. The Commission intends to write, if necessary, to the Governments concerned in its further investigation of the matter. The following day, the Minister of State for Political Affairs, Mr. Amama Mbabazi, spoke of a shipment of arms in contravention of the embargo, believed to be for the ex-FAR, which Uganda had impounded at Entebbe airport in 1996, but provided only sketchy details.

E. Activities in the United Kingdom of Great Britain and Northern Ireland

37. En route to Nairobi, some members of the Commission met in London in mid-May with Amnesty International to discuss the flow of arms in central and southern Africa and to develop additional contacts.

38. Between 22 and 26 June 1998, a member of the Commission revisited London to meet with a number of organizations and individuals, including Ms. Oona King, a member of the British Parliament and Chairman of the All-Party Group on Rwanda and the Prevention of Genocide. The Commissioner also met again with Amnesty International officials concerning the activities of the ex-FAR and arms transfers in East Africa, and with officials of other non-governmental

organizations as well as with private individuals familiar with air cargo operations in Africa. The Commissioner also obtained a large number of documents, including papers said to have been captured from the former Rwandan refugee camp of Mugunga in eastern Zaire, which was attacked by Banyamulenge and allied forces in November 1996. Some documents contain the names of companies that had apparently been supplying arms to the Rwandan government forces, and others describe military plans. The Commission will continue to study those documents with great care and take whatever follow-up action is necessary within the time remaining to it.

39. On the basis of documents found at Mugunga and now in its possession, the Commission has also been in preliminary contact with United Kingdom customs authorities concerning the apparent involvement of a British company in the sale of armaments to the ex-FAR after the imposition of the arms embargo in May 1994. Those allegations were widely publicized at the time of the attack on the camp in November 1996.

F. Activities in Zambia

40. In its third report on its activities and the addendum to it (S/1997/1010, para. 71 and S/1998/63, para. 32), the Commission described its exchange of correspondence with the Government of Zambia concerning allegations that weapons apparently destined for Goma and Bukavu had been shipped via Mpulungu, a port at the southern tip of Lake Tanganyika. The Zambian Government, in its reply dated 3 December 1996, had invited the Commission to participate in a joint investigation of the allegation.

41. Accordingly, the Commission visited Zambia from 29 July to 1 August 1998. During its visit the Commission met with Zambian government officials in Lusaka and travelled with them to Mpulungu.

42. On 29 July, the Commission met with the Zambian Minister for Foreign Affairs, Mr. S. K. Walubita, who informed the Commission that Zambia had investigated reports of arms shipments occurring via Mpulungu and determined that they were not true. However, the Minister also mentioned one incident in which armed men had intercepted a cargo ship on Lake Tanganyika and forced the crew to abandon its cargo of 100 tons of cement and to take on board a shipment of arms. The Commission subsequently investigated the incident in greater detail, as described below (see paras. 55 and 56), and considers it highly significant.

43. Also on 29 July, the Commission met with the Zambian Minister of Defence, Mr. Chitalu Sampa, who was concurrently serving as Acting Minister of Home Affairs. Other officials from the Ministries of Defence and Home Affairs as well as representatives of the police and immigration service also attended. Minister Sampa stressed that his Government was unaware of the shipment of arms through Zambia, but acknowledged that such shipments might take place. In that context, the Minister recalled that his Government had impounded two aircraft at Ndola Airport that were loaded with weapons apparently intended for the União Nacional para a Independência Total de Angola (UNITA). The aircraft had flown from Lanseria Airport in South Africa via Entebbe. The Permanent Secretary of

Home Affairs added that small arms were traded and sold in small quantities, but that this activity was not organized and occurred on a small scale.

44. The Commission learned nothing to contradict credible reports of arms shipments through Zambia, and noted that unless there were discrepancies in the accompanying documentation, customs officials did not physically inspect shipments passing through the country.

45. While in Zambia, the Commission heard from a well-informed and reliable source of possible links between elements of the ex-FAR/Interahamwe and ex-FAZ with UNITA. It was also informed that approximately 2,000 Rwandan Hutus described as "génocidaires" had fled the Democratic Republic of the Congo and were staying in Maheba camp in the north-western region of Zambia. The source also reported that Ndola Airport, in Zambia near the Congolese border, was widely believed to serve as an important hub of arms trafficking, mostly to UNITA, but also to the Great Lakes region. Those reports had led the Government of Zambia to take stricter measures to control the flow of cargo at Ndola Airport.

IV. CASE STUDY: LINKS BETWEEN THE FORMER RWANDAN GOVERNMENT FORCES AND BURUNDIAN INSURGENTS

46. In its third report (S/1997/1010, para. 108 (d)), the Commission stated its conviction that a close link existed at that time (October 1996) between the former Rwandan government forces and the Burundian Conseil national pour la défense de la démocratie (CNDD) and its military wing, the Front pour la défense de la démocratie (FDD) for armed action against both Rwanda and Burundi. That conviction has been further reinforced by documentary evidence now in the possession of the Commission (see appendix II) demonstrating that very close cooperation exists between the ex-FAR and two of the Burundian rebel groups: CNDD/FDD and the Parti pour la libération du peuple Hutu (PALIPEHUTU) and its military wing, the Forces nationales de libération (FNL). The collaboration between the ex-FAR and CNDD/FDD covers both political and military aspects.

47. A Convention of Cooperation (see appendix II) was signed by the High Command of FAR and CNDD on 22 May 1995 at Bukavu (Zaire), which formalized the cooperation between the two parties. The Convention was signed by Léonard Nyangoma, President of CNDD, and Major General Augustin Bizimungu, Commander and Chief of Staff of the ex-FAR. The Convention consists of a preamble that highlights the urgent need for both parties to share:

> "both material and financial resources and to coordinate all actions to be taken with a view to ensuring the final victory of the FAR and FDD".

The preamble also refers to "the dilatory and confused attitude of the international community towards our problems". The document then goes on to list specific actions, including the following:

> "- To establish a joint politico-military commission responsible for designing and elaborating joint strategies to harmonize our points of

view on common political problems and for suggesting ways and means of resolving them;

"- To elaborate a joint education and ideological mobilization programme in order to raise our peoples' awareness of the reasons and justification for our struggle;

"- To elaborate and implement strategies and mechanisms for diplomatic and media penetration in order to deflect the campaigns of demonization and globalization fed and maintained by our common and respective enemies."

48. The commission established by the Convention was also mandated:

"- To elaborate a programme of military cooperation and an inventory of logistic, financial and human resource requirements in order to ensure their coordination in the common interest; and

"- To establish a joint military and civilian information service and to provide for the training of ad hoc personnel in order to ward off the danger and destabilization threatening the two parties".

49. The Convention came into force with immediate effect.

50. Another document made available to the Commission (see appendix III) is a mission order signed at Bukavu on 4 March 1996 by the ex-FAR general, Gratien Kabiligi, and the Vice-President of CNDD, Christian Sendegeya. The order concerns the transfer of the ex-FAR Lt. Col. Gasarabwe to the staff of FDD temporarily.

51. A note signed by Mr. Sendegeya acknowledging receipt of $5,000 from General Kabiligi, signed at Bukavu on 31 March 1996, indicates some financial support from the ex-FAR to CNDD. The transaction was effected "in the context of a special relationship" (see appendix IV).

52. A more recent document illustrating the relationship between the Rwandan insurgent group ALIR and the Burundian rebel group PALIPEHUTU takes the form of a letter with letterhead of PALIPEHUTU/FNL addressed to Lt. Col. Nkundiye, then the commander of ALIR, written at Bubanza (Burundi) on 20 November 1997 by Abbé Nyandwi, the emissary of ALIR to the Burundian opposition. The letter mentions the presence of ex-FAR fighting alongside FNL in Burundi and describes an earlier written agreement that forms the basis for cooperation between Rwandan and Burundian insurgents as "a draft cooperation agreement between FNL and the ex-FAR, a document which is still open to possible further amendments". The letter includes the following description of the situation:

"The incessant fighting against the forces of the Rwandan Patriotic Army (RPA), our scarce supply of matériel, the lack of fresh supplies and the loss of human lives were all factors which caused us to withdraw to Burundi, where we found a significant number of Rwandan soldiers within the Forces Nationales de Libération (FNL), currently the most serious armed branch of the opposition."

The letter goes on:

> "I informed FNL of the special mission which you had entrusted to me, namely, to promote collaboration between ALIR and the Burundian opposition. The commanders of FNL were apprised of this request, and were very honoured and pleased about it. This collaboration has proved to be essential at this juncture, when FNL has advanced considerably in its struggle against the government army; with serious support from ALIR, this war could be ended, to the benefit of all Burundian and Rwandan Bahutu."

In an apparent reference to the Convention cited above, the writer adds:

> "This method of work should make it possible very shortly to resolve, once and for all, the longstanding Hutu-Tutsi problem in our subregion."

A copy of the letter appears in appendix V.

53. In addition to the above documentary evidence of political agreements between the ex-FAR and CNDD and the ex-FAR and PALIPEHUTU, there is evidence of cooperation at the operational level between their military wings. The Commission has become aware of a number of incidents that appear to show that the two parties to the Convention have indeed collaborated militarily. The two most significant are described below.

54. The Commission has discovered evidence of the military coordination called for by the Convention in the shipment of arms which, it has reason to believe, were intended for the use of the former Rwandan government forces in or around Rwanda. The incident was briefly mentioned to the Commission by the Zambian Minister for Foreign Affairs and investigated in greater detail by the Commission subsequently.

55. According to the information available to the Commission from government and other sources at Mpulungu, on 13 March 1997 the Rwegura, a 500-ton cargo ship registered in Burundi, left Mpulungu port in Zambia loaded with 100 tons of cement destined for Bujumbura. The following day, about half-way up Lake Tanganyika, the ship was forcibly stopped and boarded by a group of armed and uniformed men travelling in two large boats. The rebels, who spoke Kirundi and Kinyarwanda and who identified themselves as Burundian and Rwandan Hutus, ordered the ship to proceed towards Zaire and weigh anchor, where more armed men loaded the vessel with large quantities of arms and ammunition. Between 14 and 27 March, the ship was forced to stop at various points along the Zairian coastline to take on additional loads of arms and matériel. The rebels ordered the crew to dump the cargo of cement into the lake in order to accommodate the extra weight. It is estimated that as many as 400 armed men may have boarded the ship during that period. As the ship made its way northwards with its cargo of armaments, it came under attack by an aircraft believed to have originated in Burundi but suffered no serious damage. The Rwegura continued to a point off the Tanzanian coast about 10 kilometres south of Kigoma, where, on 28 March, the armed intruders unloaded the arms and ammunition and their personal belongings and set off inland.

56. On the basis of its inquiries among sources with intimate knowledge of this incident and of the peoples and languages of the regions bordering the lake, the Commission strongly believes that the armed men who seized the ship to transport arms comprised both CNDD/FDD fighters and ex-FAR personnel who had fled from the Uvira region after the Banyamulenge attacks of late 1996.

57. The Commission has also been informed that two columns of ex-FAR under the command of a major participated in the attack on Bujumbura airport on 31 December 1997, which resulted in the massacre of some 200 civilians.

58. The fact that CNDD/FDD is not subject to any arms embargo therefore represents a loophole through which the ex-FAR, through their collaboration with that and other Burundian armed groups, can acquire weapons and matériel in violation of the resolutions of the Security Council.

V. ADMINISTRATIVE AND BUDGETARY ASPECTS

59. In accordance with paragraph 6 of resolution 1161 (1998), the International Commission of Inquiry is financed entirely from the United Nations Trust Fund for Rwanda (Trust Fund for the International Commission of Inquiry into arms flows in the Great Lakes region of Central Africa), and receives no financing from the United Nations regular budget.

60. At the 3870th meeting of the Security Council, on 9 April 1998 when it adopted resolution 1161 (1998) reactivating the Commission, a number of speakers announced the intention of their Governments to contribute to the Trust Fund. They were Belgium ($100,000), Germany ($50,000), Japan ($40,000), the United Kingdom (100,000 pounds sterling) and the United States of America ($100,000). The Government of Belgium had also made a contribution of $100,000 to the Trust Fund in 1995, shortly after the adoption of resolution 1013 (1995) establishing the Commission. In meetings with the Chairman during the week of 4-8 May 1998, when the Commission visited New York for briefings and consultations, the representatives of France and Sweden also pledged to make contributions of $40,000 and $50,000 respectively. The Government of the Netherlands has also subsequently pledged $70,000 for the Commission's work.

61. Taken together, those contributions were estimated to be sufficient to finance the six-month period of operations envisaged in resolution 1161 (1998). However, at the time of the drafting of the present report, contributions had not yet been received from all the countries that had declared their intent to make them. Since spending authority can be issued only upon receipt of cash contributions, the great discrepancy and time lag between pledges and disbursements has led to serious disruptions and numerous administrative obstacles to the work of the Commission. The Commission, nevertheless, has persevered in its work as best it could under the difficult circumstances. The Commission strongly feels that if it is to successfully accomplish its mandate in the short time available, then the various financial and administrative difficulties encountered so far need to be resolved on an urgent basis. The Commission expresses its appreciation to the Governments that have pledged, and paid, contributions to the Trust Fund to support its work.

VI. OBSERVATIONS AND NEXT STEPS

62. The Commission will reserve its conclusions and recommendations for its final report, due in November 1998. At this stage, however, it is already clear that the situation that prompted the Security Council to establish the Commission in 1995 has become much more complex and difficult to interpret. Many questions remain to be answered about the impact of the physical dispersion of the former Rwandan government forces since 1996 on their long-term intentions, military planning and operational effectiveness, as well as about the implications of their alliances with other local rebel groups in their present countries of refuge and their capacity to achieve their objectives through the purchase of arms to be used in Rwanda in violation of the United Nations arms embargo.

63. The general picture that the Commission has been able to build up since its return to the region indicates that significant numbers of ex-FAR and militia personnel remain deeply hostile to the Government of Rwanda and are still committed to its violent overthrow. To that end, many of those who remain in both North and South Kivu provinces and those who have returned to north-western Rwanda since November 1996 are engaged in an insurgency against the Government characterized by repeated attacks against Rwandan civilians and government forces.

64. Several indications suggest that armed groups, especially Burundian insurgents and elements of the ex-FAZ and ADF in Uganda, are aiding and abetting the ex-FAR and closely collaborating with them, including in violations of the United Nations embargo. The Commission intends to investigate further credible accounts it has received concerning the relationship between elements of the ex-FAR and UNITA.

65. On the basis of the information it has gathered so far about the new profile of the ex-FAR, the Commission therefore intends, time and funding permitting, to pursue its investigations into reports of the sale or supply of arms to the former Rwandan government forces and militia and the parties aiding and abetting them. As essential background for those investigations, the Commission will continue to compile data showing the current geographical distribution of the former Rwandan government forces, their political activities and their military plans and intentions. The Commission will continue its efforts to indicate their approximate strength in each country, the alliances they have formed with local groups and their military and political activities, including rearmament, fund-raising and military training and intentions.

66. One of the most important countries on the Commission's future itinerary is the Democratic Republic of the Congo, whose territory, as Zaire, provided the backdrop for some of the most dramatic events involving the ex-FAR and Interahamwe. Repeated efforts by the Commission in 1995-1996 to obtain from the Government of Zaire information about breaches of the embargo on the ex-FAR proved fruitless, as described in the Commission's previous reports. In its second report (S/1996/195), the Commission concluded that the Zairian Government had aided and abetted what the Commission considered to be a highly probable violation that the Commission exposed in some detail.

67. Indirect and informal contacts conducted in New York and Kinshasa in May and June indicated that the Government of the Democratic Republic of the Congo would welcome a visit from the Commission and would be prepared to cooperate fully with it. The Commission requested from the Government an invitation to visit the country in a letter dated 11 June 1998 and had looked forward to receiving its cooperation during the course of its investigations. However, the Commission will now review its approach in the light of current developments in the Democratic Republic of the Congo.

68. The Commission also has provisional plans to visit Angola, Burundi, the Central African Republic, the Republic of the Congo, Mozambique, the United Republic of Tanzania and the Organization of African Unity, as well as any other countries in which ex-FAR activity can be detected to gather information from Governments, United Nations agencies, non-governmental organizations and other sources, as well as following up leads identified in the Commission's earlier investigations.

69. The complications in the situation arising from the links between the ex-FAR and other armed groups in the region should be viewed in the light of resolution 1011 (1995) of 16 August 1995, by which the Security Council prohibited the sale and supply of arms and related matériel to Rwanda or to persons in the States neighbouring Rwanda if such sale or supply was for the purpose of the use of such arms or matériel within Rwanda. During the previous three months the Commission has heard compelling reports of ex-FAR involvement in procuring weapons reportedly for use in Angola, Congo, the Democratic Republic of the Congo, Uganda and possibly elsewhere.

70. Moreover, the current upheavals throughout the central region of Africa are likely to prompt the ex-FAR and Interahamwe to forge new operational alliances with a variety of parties, thus opening up additional avenues for the provision of arms and related matériel to the ex-FAR and Interahamwe and further complicating the investigation of sources. The Commission will address those considerations when it formulates its recommendations to the Security Council in its final report, to be submitted to the Council in November.

Appendix I

List of countries visited and representatives of Governments and organizations interviewed

The International Commission of Inquiry wishes to express its deep appreciation to the government officials, diplomats, non-governmental organizations, individual relief workers, journalists and others who assisted it in its inquiries. The following list is incomplete in deference to the wishes of those who requested anonymity.

In Kenya

Government officials

Minister of Foreign Affairs

Representatives of States

Belgium
Burundi
Canada
China
Democratic Republic of the Congo
France
Mozambique
Rwanda
South Africa
Uganda
United Kingdom of Great Britain and Northern Ireland
United Republic of Tanzania
United States of America
Zambia

United Nations agencies and international humanitarian organizations

Office of the United Nations High Commissioner for Refugees
United Nations Children's Fund
United Nations International Criminal Tribunal for Rwanda
World Food Programme
Representative of the Secretary-General and Regional Humanitarian Adviser for for the Great Lakes Region
Operation Lifeline Sudan

Non-governmental organizations

Human Rights Watch
International Resource Group
Oxfam

In Rwanda

Government officials

Minister of State for Defence
Secretary-General of the Ministry of Defence
Diplomatic Adviser to the Vice-President
Rwandan Patriotic Party Chief of External Intelligence
Rwandan Patriotic Party Assistant Chief of External Intelligence

Representatives of States

Belgium
Germany
Netherlands
United States of America

United Nations agencies and international humanitarian organizations

Food and Agriculture Organization of the United Nations
Office of the United Nations High Commissioner for Refugees
United Nations Development Programme
United Nations Children's Fund
United Nations International Criminal Tribunal for Rwanda
World Food Programme

Non-governmental organizations

Human Rights Watch
Oxfam

In South Africa

Government officials

Minister of Justice
Minister for Water Resources and Forestry/Chairman of the National Conventional Arms Control Committee
Director-General of the Department of Foreign Affairs
Deputy Director-General of the Department of Foreign Affairs (Multilateral Affairs)
Director of the Defence Secretariat's Directorate of Conventional Arms Control
Executive Director of the National Interdepartmental Structure for Border Control
Deputy Director General of the Secret Service
Coordinator of Intelligence of the National Intelligence Coordinating Committee

Representatives of States

Belgium
France

United Nations agencies and international humanitarian organizations

United Nations Development Programme

Non-governmental organizations

Centre for Conflict Resolution (Cape Town)
Institute for Security Studies

In Uganda

Government officials

Minister of Internal Affairs
Minister of State for Foreign Affairs (Regional Cooperation)
Minister of State for Political Affairs
Minister of State for Security
Chairperson of Uganda's Human Rights Commission

Representatives of States

France
Italy
United Kingdom
United States

United Nations agencies and international humanitarian organizations

Office of the United Nations High Commissioner for Refugees
United Nations Development Programme
United Nations Children's Fund

Non-governmental organizations

Centre for Conflict Resolution
International Federation of Red Cross and Red Crescent Societies
Oxfam
World Vision

In the United Kingdom

Government officials

Member of Parliament

Non-governmental organizations

Amnesty International
International Alert
Saferworld

In Zambia

Government officials

Minister of Foreign Affairs
Minister of Defence
Deputy Minister of Foreign Affairs
Deputy Minister of Defence
Permanent Secretary of the Ministry of Defence
Permanent Secretary of the Ministry of Foreign Affairs
Deputy Permanent Secretary of the Ministry of Foreign Affairs
Deputy Commissioner of Police
Deputy Chief Immigrations Officer

Representatives of States

Egypt

United Nations agencies and international humanitarian organizations

United Nations Development Programme
World Food Programme

Non-governmental organizations

Zambian Red Cross Society

Appendix II

Convention de Coopération entre le Conseil national pour la défense de la démocratie et le Haut Commandement des Forces armées rwandaises

PRAMBULE.

Convaincus de l'impérieuse nécessité de résoudre définitivement les problèmes politico-militaires rwandais et burundais en vue d'instaurer dans nos Pays une véritable démocratie.

Convaincus de la ferme détermination des deux parties à tout mettre en oeuvre pour créer toutes les conditions suffisantes de sécurité pour le retour rapide des réfugiés rwandais et burundais dans leurs pays.

Convaincus de l'intérêt de mise en commun des moyens tant matériels que financiers et de la coordination de toutes les actions à mener en vue de s'assurer d'une victoire définitive des FAR et des FDD.

Convaincus de la menace de MUSEVENI qui soutient le pouvoir du FPR au RWANDA et de ses visées hégémoniques sur le BURUNDI qui risquent d'entraver sérieusement l'action des FAR et des FDD.

Convaincus que le sort et l'avenir politique de nos pays sont désormais intimement liés eu égard à l'attitude dilatoire et confuse de la Communauté Internationale en rapport avec nos problèmes.

Convaincus que de ce fait nous ne pouvons que compter sur la conjugaison de nos efforts et la complémentarité de nos actions.

Le CNDD et le Haut Commandement des FAR décident de mettre en place une CONVENTION DE COOPERATION qui définit les domaines d'intervention et les mécanismes de suivi de sa mise en application.

I. L'OBJET DE LA CONVENTION

La Coopération entre le CNDD et le Haut Commandement des FAR portera sur les domaines intéressant les deux parties notamment:

1. Dans les domaines Politique et Diplomatique.

Etant donné que les problèmes politiques de nos deux pays sont quasi identiques et sont perçus de la même manière sur l'échiquier régional et international, le CNDD et le Haut Commandement des FAR décident:

- de mettre en place une commission mixte politico-militaire chargée de concevoir et d'élaborer des stratégies communes permettant d'harmoniser nos points de vue sur les problèmes politiques communs et suggérer les voies et moyens pour les résoudre.

/...

d'élaborer un programme commun d'éducation et de mobilisation idéologique afin de sensibiliser nos deux peuples sur les raisons et le bien fondé de la lutte que nous menons.

d'élaborer et mettre en place des stratégies et des mécanismes de percée diplomatique et médiatique afin de déjouer les campagnes de diabolisation et de globalisation nourries et entretenues par nos ennemis communs et respectifs.

2. Dans les domaines militaires et de renseignement.

La même Commission est chargée:

- d'élaborer un programme de coopération militaire et d'inventorier les besoins logistiques, financiers et humains afin d'assurer leur coordination pour l'intérêt commun.

- de mettre sur pied un service commun de renseignement militaire et civil et de pourvoir à la formation du personnel ad hoc pour parer à la menace et à la déstabilisation qui pèse sur les deux parties.

II. MECANISME DE MISE EN APPLICATION ET DE SUIVI DE LA PRESENTE CONVENTION.

- Pour mettre en application la présente convention, le CNDD et le Haut Commandement des FAR désigneront à cette fin, après la signature de celle-ci, quatre personnes composant la Commission dont question plus haut au chapitre de l'OBJET DE LA CONVENTION.

- Les signataires de la présente convention pourront juger à tout moment de l'opportunité de modifier ou d'élargir la composition de ladite commission sur demande de l'une ou des deux parties signataires.

- Les modalités de fonctionnement de cette commission seront définies par son règlement intérieur qui sera soumis pour approbation aux signataires de la présente convention.

III. MISE EN VIGUEUR DE LA CONVENTION.

La présente convention entre en vigueur à la date de sa signature et est établie en deux exemplaires.

Fait à BUJAVU le ..28..Août..1998..

Pour le CNDD

NYANYOMA Léonard
Président du CNDD

Pour le Haut Commandement des FAR

BIZIMUNGU Augustin
Général Major
Commandant des FAR
et Chef d'Etat-Major des FAR

/...

Appendix III

SECRET

ORDRE DE MISSION

Les Comdt des FAR et le CNDD decident conjointement de confier au Lt Col GASARABWE Edouard, une mission d'expert auprès de l'Etat-Major des FDD.

L'objet de la mission est définie comme suit:

> Lt COL GASARABWE Edouard est temporairement détaché auprès de l'Etat-Major des FDD pour une mission d'expert et d'assistance technique aux opérations menées par les FDD.
>
> Le Lt Col GASARABWE prendra contact avec le Chef EM des FDD pour recevoir le contenu du cahier des charges de la mission lui confiée.

BUKAVU, Le 04 Mars 1996

Le Comd des FAR

BIZIMUNGU Augustin
Gen Maj
PO
KABILIGI Gratien
Gen Bde

Le Président du CNDD

NYANGOMA Léonard

PO
SENDEGEYA Chrystian

SECRET

/...

Appendix IV

Annexe XIII g.

Bukavu, le 31 Mars 1996

Reçu du Gen Bde KABILIGI
Gratien la somme de CINQ MILLE DOLLARS
(5.000 US$) dans le cadre des rela-
tions privilégiées.

SENGEGEYA Christian
Vice-Président du CNSD

/...

Appendix V

REPUBLIQUE DU BURUNDI
PALIPEHUTU
JUSTICE - PAIX- DEVELOPPEMENT
FORCES NATIONALES DE LIBERATION (F.N.L)
UBUGABO BURIHABWA

BUBANZA 20 / 11 / 1997

Au Lieutenant-Colonel NKUNDIYE,
Chef d'Etat-Major de l'Armée pour
la Libération du RWANDA

Lors de notre rencontre au mois d'août 1997, notre entretien était centré sur les thèmes suivants :

- les conditions de travail de l'A.L.I.R dans le secteur F, secteur qui était en voie de création, et les priorités y relatives;
- Contacter nos amis les anciens militaires des Forces Armées Rwandaises et nos partisans disséminés dans le secteur F et toute la zone territoriale de la forêt de Nyungwe;
- assurer la liaison entre l'ALIR et l'opposition burundaise.

Notre contingent s'est heurté, dès son arrivée dans le secteur F, à des conditions de travail très difficiles, voire insurmontables; ce qui avait été le cas de nos précurseurs du bataillon KAGORA.
Les luttes incessantes contre les militaires de l'APR, nos faibles moyens en matière d'armement, le manque de ravitaillement et les pertes humaines, tous ces facteurs réunis ont occasionné notre repli vers le Burundi où nous avons rencontré un nombre assez important de militaires Rwandais au sein des Forces Nationales de Libération (F.N.L), la plus sérieuse branche armée de l'opposition pour le moment.

J'ai fait part aux F.N.L de la mission spéciale dont vous m'aviez chargée, à savoir la collaboration entre l'ALIR et l'opposition burundaise. L'Etat-Major des F.N.L est saisi de cette requête et s'en trouve beaucoup honoré et réjoui. Cette collaboration s'avère indispensable en ce moment-ci où les F.N.L sont fort avancés dans leur lutte contre l'armée gouvernementale; un soutien sérieux de la part de l'ALIR terminerait cette guerre au profit de tous les Bahutu Burundais et Rwandais.
Cette collaboration entre Burundais et Rwandais est déjà effective comme en fait foi un protocole d'accord de coopération entre le F.N.L et les anciennes FAR, un document toujours ouvert à des amendements ultérieurs possibles. L'exploitation de ce schéma de travail permettra, dans les plus brefs délais, de résoudre pour toujours le problème séculaire Hutu-Tutsi dans notre sous-région.

Nos entretiens passés portaient principalement sur mon rôle de pont entre Burundais et Rwandais combattant l'oppression tutsi. La présence d'officiers rwandais au sein des F.N.L rend ma mission inutile, un militaire étant mieux indiqué pour remplir cette tâche.

Je vous prie donc de confier à un officier rwandais le suivi de la future collaboration entre l'ALIR et l'opposition burundaise. AMITIES !

Abbé Athanase-Robert NYANDWI

UNITED NATIONS **S**

Security Council

Distr.
GENERAL

S/1998/778
19 August 1998
ENGLISH
ORIGINAL: FRENCH

LETTER DATED 19 AUGUST 1998 FROM THE PERMANENT REPRESENTATIVE OF THE DEMOCRATIC REPUBLIC OF THE CONGO TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

On instructions from my Government and with reference to my letter of 18 August 1998 (S/1998/770), I have the honour to inform you of the initial consequences of the recent interruption by the Rwandan-Ugandan military coalition of the supply of water and electricity to the city of Kinshasa.

The first signs of a humanitarian disaster are taking shape in that city. During the last 72 hours in maternity hospitals more than 700 newborn babies have died as a result of the malfunctioning of incubators and other medical apparatus. The interruption has totally disrupted the lives of the people of Kinshasa. Food in cold storage has become unsuitable for consumption and the scarcity of foodstuffs and shortage of fuel are aggravating the situation. In view of the precarious conditions in which the population is living, it is to be feared that there will be an imminent outbreak of contagious diseases which will rapidly spread to the six million inhabitants of the city.

The interruption in the power supply is adequate proof of the genocidal purposes of the Rwandan and Ugandan aggressors and of their deliberate intention to violate the relevant provisions of international humanitarian law. This genocidal culture has already been illustrated in the conquered towns of Goma and Bukavu by the Rwandan-Ugandan coalition, in particular by the summary execution of officers of the Congolese armed forces and the total and indiscriminate repression of the indigenous populations.

My Government requests the Security Council to remain seized of this matter and promises to keep it regularly informed of developments in the situation.

I should be grateful if you would have the text of this letter circulated as a document of the Security Council.

(Signed) André MWAMBA KAPANGA
Ambassador
Permanent Representative

98-24324 (E) 190898 190898

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General Assembly
Security Council

Distr.
GENERAL

A/52/1019
S/1998/779
20 August 1998

ORIGINAL: ENGLISH

GENERAL ASSEMBLY
Fifty-second session
Agenda item 61
QUESTION OF CYPRUS

SECURITY COUNCIL
Fifty-third year

Letter dated 20 August 1998 from the Chargé d'affaires a.i. of the Permanent Mission of Turkey to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith a letter dated 20 August 1998, addressed to you by His Excellency Mr. Aytuğ Plümer, Representative of the Turkish Republic of Northern Cyprus.

I should be grateful if the text of the present letter and its annex would be circulated as a document of the General Assembly, under agenda item 61, and of the Security Council.

(Signed) Gürcan TÜRKOĞLU
Counsellor
Chargé d'affaires a.i.

ANNEX

Letter dated 20 August 1998 from Mr. Aytuğ Plümer addressed to the Secretary-General

Upon instructions from my Government, I have the honour to refer to the letters dated 4 and 12 August 1998 addressed to you by the Greek Cypriot delegate at the United Nations (A/52/1004-S/1998/721, A/52/1016-S/1998/746), which contain allegations regarding "violations of the airspace of the Republic and of the flight information region of Nicosia".

As similar unfounded allegations of so-called airspace violations have been rejected in toto in our previous communications addressed to you, most recently in my letter dated 6 August 1998 (A/52/1012-S/1998/734, annex), I shall confine myself to reiterating that flights within the sovereign airspace of the Turkish Republic of Northern Cyprus take place with the full knowledge and consent of the appropriate authorities of the State. The Greek Cypriot administration has no jurisdiction, control or authority whatsoever over the national territory, airspace or flight information region of the Turkish Republic of Northern Cyprus.

The Greek Cypriot side's campaign of blatant misinformation is paralleled by a militarization effort on a large scale. The Greek Cypriot daily Simerini reported on 10 August 1998 that, in addition to the planned deployment of the sophisticated S-300 missile system, the Greek Cypriot administration is engaged in negotiations with the Russian Federation for the purchase of medium-range missiles, long-range mobile artillery, tanks and armoured vehicles. It is reported that the medium-range missiles would be deployed as soon as agreement was reached between the parties. Meanwhile, Jane's Defence Weekly of 12 August 1998 reported that the Commander of the Russian Federation's air-defence training centre at Ashuluk has confirmed that 84 members of the Greek Cypriot National Guard concluded three months' training in the operation of the S-300 missile systems.

The decision of the Greek Cypriot leadership to expand military expenditures is backed by a further increase in the defence levy approved on 5 August 1998 by the Greek Cypriot House of Representatives. It was also reported in the Greek Cypriot daily Filelefttheros of 12 August 1998 that matters related to the further strengthening of the "joint military doctrine" between Greece and the Greek Cypriot administration were taken up at a recent meeting between the Greek Cypriot Defence Minister, Mr. Yannakis Omirou, and the Greek Deputy Chief of Staff, General Fetini. Reportedly, Mr. Omirou stated after the meeting that ways and means would be sought to enable the further strengthening of the "joint military doctrine", which was not static and had to be reviewed over time. On 9 August 1998, the Greek Cypriot spokesman, Mr. Stylianides, declared that, "stretching from Evro (Meriç) and the Aegean to Dherinia, a nation stands ready for war."

The Greek Cypriot militarization campaign has reached unprecedented levels, which clearly threatens peace and stability in the region. It is crucial that the international community strongly urge the Greek cypriot leadership to

abandon its aggressive stance and warmongering and move on to the path of reconciliation in order to build bridges of trust and cooperation between the two states in Cyprus.

I should be grateful if you would have the text of the present letter circulated as a document of the General Assembly, under agenda item 61, and of the Security Council.

(Signed) Aytuğ PLÜMER
Representative
Turkish Republic of Northern Cyprus